JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF ALABAMA,

BEGUN AND HELD AT THE TOWN OF TUSCALOOSA, ON THE

THIRD MONDAY IN NOVEMBER, 1832

BEING THE FOURTEENTH ANNUAL SESSION

OF

THE GENERAL ASSEMBLY OF SAID STATE

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Tuscaloosa:

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1833

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

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Monday, November 19, 1832–On Monday, the 19th of November, in the year of our Lord, One Thousand Eight Hundred and Thirty-two, the following member of the House of Representatives appeared in the State Capitol, in the town of Tuscaloosa, it being the day fixed by law for the meeting of the General Assembly, and took their seats, to wit:

From the county of Autauga–Robert Brodnax and Samuel S. Simmons.

Baldwin— Joseph Hall.

Bibb—---- James W. Davis and John E. Sumners.

Blount- William H. Musgrove and Samuel Johnson.

Butler- Nathan Cook.

Clarke- John G. Creagh.

Conecuh and Covington– Samuel W. Oliver and Julien S. Devereux.

Dallas- Ethelbert W. Saunders, Peter Walter Herbert and John W. Paul.

Franklin– Benjamin Hudson.

Fayette- Caswell C. Thompson.

Greene– Walter N. Moffett, William T. Fortson and Daniel M. Witherspoon.

Henry and Dale- James Ward.

Jackson- Benjamin B. Goodrich, Henry Norwood, Caleb B. Hudson and John Lusk.

Jefferson- Hugh M. Carithers and Samuel W. Earle

Lawrence- John J. Ormond, John Stewart and David Hubbard.

Limestone- William Richardson, Richard Brickell and William J. Mason.

Lauderdale- Cornelius Carmack, George S. Houston and Samuel Young.

Madison- William Flemming, Henry King, John P. Graham, James W. Camp and Robert T. Scott.

Morgan- Henry W. Rhodes, Robert F. Houston and John T. Rather.

Marion- Durell U. Hollis and Thadeus Walker.

Montgomery and Lowndes- Robert J. Ware, Samuel C. Oliver and John Rugely.

Marengo-John Lockhart.

Monroe- Benjamin F. Porter, Nathan Coker and John Morrisette.

Mobile–Benjamin Brent Breedin and Henry Chamberlain.

Perry– George Weissinger, William S. Miree and Columbus W. Lee.
Pike-Jesse T. Reaves and Lawson J. Keener.
Pickens- George H. Flournoy.
St. Clair- John Massey and Greene T. McAfee.
Shelby-Leonard Tarrant and George Hill.
Tuscaloosa and Walker- John R. Drish, Pleasant N. Wilson, Constantine Perkins and Marmaduke Williams.
Washington- Alexander Trotter.
Wilcox-Walter R. Ross.

On motion of Mr Herbert, Mr Williams was called to the Chair, and Thomas B. Tunstall appointed Clerk, pro tem.

The House then proceeded to the election of a Speaker. Samuel W. Oliver, a member from the county of Conecuh, alone being in nomination, was declared duly elected, conducted to the Chair, made his acknowledgements to the House for the honor conferred; was qualified and entered upon the duties of his office.

The House then proceeded to the election of a Clerk. Thomas B. Tunstall alone being in nomination, was declared duly elected. Principal Clerk of the House of Representatives; was qualified and entered upon the duties of his office.

The House then proceeded to the election of Assistant Clerk. Nathaniel Norwood alone being in nomination, was declared duly elected Assistant Clerk; was qualified and entered upon the duties of his office.

The House then proceeded to the election of Engrossing Clerk. Francis H. Ford alone being in nomination, was duly elected; was qualified and entered upon the duties of his office.

The House then proceeded to the election of Door-Keeper. John Tatom alone being in nomination, was declared duly elected ; was qualified and entered upon the duties of his office.

The House then proceeded to the election of Messenger. James Rather along being in nomination, was declared duly elected, qualified, and entered upon the duties of his office.

On motion of Mr Moffett, Resolved, That the Rules and Regulations by which the House was governed at its last Session, be adopted for the present Session, until otherwise altered.

On motion of mr Hall: Resolved, That the following standing committees be appointed, viz:

A committee on privileges and elections.
A committee on propositions and grievances.
A committee on enrolled bills.
A committee on inland navigation.
A committee on roads and bridges.
A committee on ways and means.
A committee on the military.
A committee on lands appropriated for internal improvement.
A committee on the judiciary.
A committee on county boundaries.
A committee on education.
A committee on accounts.
A committee on divorce and alimony.
A committee on the State Bank.
A committee on the State Capitol.

A committee on Indians and Indian affairs.

A message was received from the Senate by mr Conner, their Secretary mr Speaker–The Senate have organized, and elected the honorable Levi Powell, of Tuscaloosa, President; Charles D. Conner, Secretary ; David S. Morton, Assistant Secretary, and John Brown, Door Keeper ; and at now ready to proceed to business. Ordered, that said message lie on the table.

On motion of Mr Musgrove: Resolved, that a select committee be appointed on the part of this house, to act with such committee as may be appointed on the part of the Senate, to inform his Excellency the Governor that the two houses of the General Assembly are now organized, and ready to receive any communication which he may be please to make whereupon messrs Musgrove, Moffett and Lee were appointed said committee.

On motion of Mr Hubbard: Resolved, That a select committee be appointed to prepare a memorial tot he Congress of the United States, showing the decided disapprobation of the State of Alabama to a division of the public lands or their proceeds among the several States, as contemplated by a proposition submitted to the last Congress of the United States.

On motion of Mr Ormond: Resolved, That a committee be appointed by election of this House, to lay off the State into five Congressional Districts; said committee to consist of one from each judicial of the State.

Mr Breeding introduced a bill to be entitled an act to incorporate the subscribers to the Union Bank of the State of Alabama, which was read and ordered to a second reading.

Mr. Stewart introduced a bill to be entitled an act to regulate the time of payment for lands sold at the land office in Courtland ; which was read and ordered to a second reading.

On motion of Mr Creagh: Resolved, That the Senate be informed that this House is organized; that they have elected the Honorable Samuel W. Oliver, Speaker; Thomas B. Tunstall, Principal Clerk ; Nathaniel Norwood, Assistant Clerk ; Francis H. Ford, Engrossing Clerk ; John Tatom, Doorkeeper; and James Rather, Messenger ; and are now ready to proceed to business. Ordered, that the clerk acquaint the Senate therewith.

Mr Cook introduced a bill to be entitled an act to provide for taking the census in the year 1833; which was read and ordered to a second reading.

Mr Lockhart introduced a bill to be entitled an act to incorporate the Daletown and Greensborough railroad company; which was read and laid on the table, and that one hundred copies be printed.

Mr King introduced a bill to be entitled an act to establish a penitentiary in the State of Alabama, which was read and ordered to a second reading.

Mr Norwood introduced joint resolutions proposing amendments to the constitution of the State of Alabama, so as to have biennial sessions of the Legislature thereof; which was read and ordered to a second reading.

Mr Speaker laid before the House the record and proceedings of the circuit court of Walker county, exercising jurisdiction in chancery in the case of Winifred K. Waldrop against Preston Waldrop. for divorce; which was read and referred to the committee on divorce and alimony.

Mr Williams presented the account of Green D. Caller, jailor of Walker county ; which was read and referred to the committee on accounts.

Mr. Trotter presented the account of Green D. Caller, jailor of Washington county ; which was read and referred to the committee on accounts to consider and report thereon.

Mr Hall introduced a bill to be entitled an act requiring the clerks of the county courts of the several county courts of this State, to make indexes.

and providing for fees for notaries in certain cases ; which was read and ordered to a second reading.

Mr Goodrich presented the petition of sundry inhabitants of Blount county, praying to be attached to Jackson county ; which was read and referred to the committee on county boundaries.

Mr Herbert presented the account of Adam Taylor, sheriff of Dallas county; and also the accounts of sundry persons for guarding prisoners in said county; they were severally read and referred to the committee on accounts.

Mr Tarrant presented the accounts of the sheriff and jailor of Shelby county; they were severally read and referred to the committee on accounts.

Mr Massey introduced a bill to be entitled, an act to provide for the improvement of a part of the Coosa river; which was read and ordered to a second reading.

On motion of Mr Musgrove: Resolved, That the committee on education be instructed to inquire into the expediency of admitting such number of students into the University of this State from each county as may be most practicable or expedient, taking into consideration population, who shall be educated free from expenses, both in regard to tuition and board, for such length of time as may be thought most expedient, with leave to report by bill or otherwise.

Mr Creagh offered the following resolution: Resolved, That all the business returned by the several committees of the late called session, as deserving the consideration of the Legislature, but on which they could not act for the want of time, be referred to some committee of this session, that had them under consideration during the called session; which was rejected.

On motion of Mr Hubbard: Resolved, That the committee on ways and means be instructed to inquire into the expediency of having the tax upon lands levied according tot he value thereof; and to abolish the present mode of taxing lands by an arbitrary minimum value.

Mr Hudson of F. presented the petition of James Elliot, and John S. Rhea, citizens of Franklin county, praying the passage of a law to authorize them to retain the purchase money of certain lands therein described; which was read and referred to a select committee; whereupon, Messrs Hudson of F. Houston of L. Rather, Brickell and Carmack, were appointed said committee.

On motion of Mr Moffett: Resolved, That the editors of the several newspapers in th town in Tuscaloosa, be permitted to take seats within the bar of this House, for the purpose of taking notes of its proceedings.

Mr Paul introduced a bill to be entitled an act for the relief of William Taylor; which was read and ordered to a second reading.

Mr Morrisette introduced a bill to be entitled an act for the relief of John Kidd ; which was read and ordered to a second reading.

Mr Thompson presented the account of Mark Meeks, sheriff of Fayette county; which was read and referred to the committee on accounts.

Mr Cook introduced a bill to be entitled an act to amend the several acts in relation to garnishees; which was read and ordered to a second reading.

The House then adjourned until to-morrow morning o'clock, A.M.

Tuesday, November 20, 1832.

Agreeably to a resolution of the House, Mr Speaker proceeded to appoint the following standing committees, to wit:

A committee on privileges and elections–Consisting of messrs Rather, Coker, Carmack, Davis, Ward, Hall Fortson, Lockhart and Lusk.

A committee on propositions and grievances–Consisting of messrs Cook, Goodrich, Hudson of J. Lusk, Lee, Miree, Johnson, Young, Chamberlain and Scott.

A committee on enrolled bills- Consisting of messrs Oliver, Devereux, Earle, Porter, Stewart, Carithers and Miree.

A committee on inland navigation–Consisting of messrs Ormond, Houston of L. Goodrich, Perkins, Saunders, Ware, Ross, Hudson of J. and Camp.

A committee on roads, bridges, and ferries–Consisting of messrs Brodnax, Hall, Hollis, Walker, Lockhart, Houston of m. and Reaves.

A committee on ways and means–Consisting of messrs Creagh, Moffett, Herbert, Graham, Williams, Mason, Weissinger and Paul.

A committee on the military- Consisting of messrs Flemming, Musgrove, Norwood, Massey, Saunders, Hudson of J. Lea and Camp.

A committee on lands appropriated for internal improvement- Consisting of messrs Hubbard, King, Flemming, Rather, Hudson of F. Stewart and Carmack.

A committee on the judiciary- Consisting of messrs Ormond, Hubbard, Creagh, Cook, Breedin, Chamberlain, Wilson, Perkins, Mason, Graham, Houston of L. Paul, Morrisette, Porter and Moffett.

A committee on county boundaries–Consisting of messrs Hudson of F. Hill, Keener, Reaves, Simmons, Sumners, Thompson, Lockhart, Goodrich, Tarrant, Fortson, Johnson, Massey, and McAfee.

A committee on education–Consisting of messrs Herbert, Rugely, Richardson, Witherspoon, Rhodes, Porter and Young.

A committee on accounts- Consisting of messrs Moffett, Morrisette, Trotter Fleming, Carithers, Brickell, Davis and Hudson of F.

A committee on divorce and alimony- Consisting of messrs Flournoy, Norwood, Ross, Simmons, Sumners, Thompson and Trotter.

A committee on the State Bank-Consisting of messrs Rhodes, Oliver, Weissinger, Breedin, Flemming, Chamberlain, Ware and Scott.

A committee on the State Capitol- Consisting of messrs Drish, Brodnax, Earle, Fortson, Houston of m. Williams and Witherspoon.

A committee on Indians and Indian affairs- Consisting of messrs Tarrant, Musgrove, Massey, Devereux, McAfee, Johnson, Ward, and Keener.

A committee on the public printing–Consisting of messrs Brickell, M ‘Afee, Cook, Drish, Hollis, Hudson, of J. and Keener.

A committee on the Comptroller’s and Treasurer’s offices- Consisting of messrs King, Wilson, Richardson, Tarrant, Rugely, Mason and Morrisette.

Mr Hudson of F. presented the petition of sundry citizens of Franklin county, purchasers of public lands, praying a further extension of the time of payment for said lands’ which was read and referred to the committee of lands appropriated for internal improvement to consider and report thereon.

Mr Norwood presented the petition of sundry citizens of Jackson county, praying a reduction of the fees of justices of the peace and constables, and requiring securities for the costs of suits; which was read and referred to the judiciary committee.

Petitions were presented by messrs Norwood, Brickell, Flemming and and Lockhart, praying the passage of a law to license persons to practice medicine under the Thompsonian system; they were severally read and referred to a select committee consisting of messrs Norwood, Lee, Miree,

Goodrich, Hudson of F. Musgrove and Lockhart.

Mr Ward presented the petition of sundry inhabitants of Dale county, praying the passage of a law to authorize the building a bridge across the Chattahoocie river at John Ard's; which was read and referred to the committee of roads, bridges and ferries.

Mr Flournoy presented the account of the jailor of Pickens county. mr Hubbard presented the account of Argyle Campbell, of Lawrence county; they were severally read and referred to the committee on accounts.

Mr Moffett presented the petition of Paul M. Cunningham, praying the passage of a law to emancipate certain slaves therein named; which was read and referred to the committee on propositions and grievances.

Mr Moffett also presented the accounts of the sheriff of Green county' which was read and referred to to the committee on accounts.

Mr Goodrich presented the petition of sundry citizens of Jackson county, styling themselves Claysville Blues, praying that a company be incorporated to be styled the Claysville Blues; which was read and referred to the military committee.

Mr Graham presented the petition of sundry inhabitants of Madison county, praying that a bank be established at Huntsville on the plan of the Union Bank of Louisiana ; which was read. Ordered, that said petition do lie on the table.

Petitions were presented by Mr Chamberlain of Puree S. Dumee, Louis Deflander, Louis Young, Joseph Danney, Wilson Abbott and L. Chieuse, praying the passage of a law to emancipate certain slaves therein named; they were severally read and referred to the committee on propositions and grievances.

Mr Speaker laid before the House the record and proceedings of the circuit court of Mobile county exercising jurisdiction in chancery in the case of Susan Pool against Samuel Pool, for divorce; which was read and referred to the committee on divorce alimony.

Mr Hubbard presented the account of the sheriff of Lawrence county' mr Devereux presented the account of the jailor of Conecuh county; they were severally read and referred to the committee on accounts to consider and report thereon.

Mr Mason presented the petition of Margaret Martindale, of Limestone county, praying the passage of a law to legitimate a certain person therein named; which was read and referred to the judiciary committee to consider and report thereon.

Mr Houston of L. presented the petition of sundry citizens of the town of Waterloo in the county of Lauderdale, praying that said town be incorporated; which was read and referred to a select committee; whereupon, messrs Houston of L. Carmack, Young, Brickell and Mason were appointed.

Petitions were presented by mr Richardson of Reuben Tilman and Kitty Matthews, of Limestone county, praying the emancipation of certain slaves therein named; they were severally read and referred to the committee on propositions and grievances.

Mr Richardson presented the account of the jailor of Limestone county; which was read and referred to the committee on accounts.

Mr Richardson presented the petition of Richard McDonald and John McDonald, of Limestone county, praying the passage of a law to authorize them to build a mill on the north side of Elk river in said county, and to erect a dam across said river; which was read and referred to the committee on propositions and grievances.

Mr Norwood presented the account of Daniel Lucas, sheriff of Jackson county; which was read and referred to the committee on accounts.

Mr Mason presented the petition of sundry inhabitants of the counties of Lauderdale and Limestone, praying the alteration of a certain road commencing at Beddingfield's landing on the north-west side of Elk river, thence crossing the river on the South-east side to Addison Binford's which was read and referred to the committee on roads, bridges and ferries.

Mr Richardson presented a counted petition on the same subject; which was read and referred to the same committee.

Mr Davis presented the petition of Cornelius Cox, of Bibb county, praying the passage of a law to authorize him to continue and keep up his grist and saw mill and other water works on the middle prong of the Mulberry Creek; which was read and referred to the committee on propositions and grievances.

Mr Porter presented the petition of George W. Cook of Monroe county, praying the passage of a law to emancipate a certain slave therein named; which was read and laid on the table.

Mr Rugely presented the petition of James D. Cottrell, executor of James S. Cottrell, deceased, late of Autauga county, praying the passage of a law to authorize the sale of certain real estate; which was read and referred to the committee on propositions and grievances.

Mr Brickell presented the account of John H. J. Wynne, of Limestone county; which was read and referred to the committee on accounts.

Mr M 'Affee presented the petition of sundry inhabitants of St. Clair county, praying the passage of a law to establish and view a way for a road as therein described ; which was read and referred to a select committee; whereupon, messrs M 'Afee, Tarrant and Davis were appointed said com-committee.

Mr Houston of m. Presented the petition of sundry inhabitants of Morgan county, praying the passage of a law to authorize Preston Nelson and his associated to turnpike certain road therein mentioned; which was read and referred to the committee on roads, bridges and ferries.

Mr Houston of m. presented the petition of sundry inhabitants of township No. 7, range of No. 5, west, in Morgan county, praying the passage of a law authorizing the commissioners of said township to release Davis Alfred from the payment of certain rents; which was read and referred to the committee on propositions and grievances.

Mr Rather presented the petition of sundry citizens of Morgan county, praying that George Riggs, who was convicted of hog stealing, be restored to the rights of citizenship; which was read and referred to the committee on propositions and grievances.

On motion of mr Ormond: Resolved, That the committee on ways and means be instructed to inquire into the expediency of revising the revenue laws of the State so, as to reduce the present amount of taxation, with leave to report by bill or otherwise.

On motion of mr M ' Afee : Resolved, That Richard T. Brumby, editor of the Free Trade Expositor, be permitted to take a seat within the bar of the Representative Hall for the purpose of taking notes of the proceedings of this House.

On motion of mr Lusk: Resolved, That the committee on ways and means be instructed to inquire into the expediency of applying the nett gains made by the State Bank and its branches towards the defraying of the expenses of the State of Alabama so as to relieve the people entirely from the payment of taxes.

On motion of mr Hollis: Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the penal laws of

the State as to authorize the trial of assaults and batteries and other of-

fences of a minor character, by two justices of the peace and the judge of the county court with the aid of a jury of twelve respectable freeholders or householders of their respective counties.

Mr Sanders introduced a bill to be entitled an act to authorize Benjamin Dunn and his associated to erect a toll bridge across Mulberry Creek; which was read and ordered to a second reading.

Mr Johnson introduced a bill to be entitled an act to legitimate and confirm the name of a certain person therein named; which was read and ordered to a second reading.

Mr Lee introduced a bill to be entitled an act to repeal the several laws now in force regulating the practice and licensing of physicians in this State; which was read and ordered to a second reading.

Mr Moffett introduced a bill to be entitled an act to establish a State road from the town of Tuscaloosa to the Mississippi State line in a direction to Jackson in the State of Mississippi; which was read and ordered to a second reading.

A message from the senate by mr Connor: mr Speaker–The Senate concur in the resolution of the House of Representatives appointing a committee to wait on his excellency the Governor, and inform him of the organization of the two Houses of the General Assembly, and have appointed messrs Smith and Dupuy a committee on the part of the Senate. Ordered, that said message lie on the table.

Mr Ward introduced a bill to be entitled an act to levy a tax upon the cattle of non-residents; which was read and ordered to a second reading.

Mr Porter introduced a bill to be entitled an act for the better organization of patrols; which was read and ordered to a second reading.

Mr Flemming introduced a bill to be entitled an act authorize a lottery for the improvement of a road therein named ; which was read ard ordered to a second reading.

Mr Simmons introduced a bill to be entitled an act to authorize one justice of the peace and one freeholder to receive and due acknowledgment and probate of deeds and relinquishments of dower; which was read and ordered to a second reading.

Mr Paul introduced a bill to be entitled an act to amend an act entitled an act to extend the powers of the county and orphans' court; which was read and ordered to a second reading.

Mr Williams introduced a bill to be entitled an act for the relief of the tax collector in Walker county; which was read and ordered to a second reading.

Mr Hudson of J. introduced a bill to be entitled an act to incorporate for a limited time the Crow Creek Navigation Company; which was read and ordered to a second reading.

Mr Fleming introduced aa bill to be entitled an act to establish a permanent road from Tuscaloosa to the Mississippi State line; which was read and ordered to a second reading.

A message from the Senate by Mr Morton: mr Speaker–The Senate have adopted the following resolution: Resolved, That the Senate with the concurrence of the House of Representatives, will this day, at the house of 3 o'clock, P.M. assemble in the House of Representatives for the purpose of electing an Attorney General for the State for the next four years to come. mr Herbert moved that the resolution lie on the table; which was carried.

The House then proceeded to the consideration of the orders of the day.

The bill entitled an act to incorporate the subscribers tot he Union Bank

of the State of Alabama, was read a second time. mr Morrisette moved that the further consideration of the bill be postponed until the first day of August next; which was lost. Yeas 19–nays 50.

The yeas and nays being desired, those who voted in the affirmative are; Messrs Carmack, Creagh, Davis, Flournoy, Fortson, Hill, Hollis, Hudson of F. Lock hart, M'Afee, Massey, Miree, Moffett, Morrisette, Ormond, Paul, Tarrant, Walker and Weissinger.

Those who voted in the negative are: Messrs Speaker, Breedin Brickell, Brodnax, Camp, Carithers, Chamberlain, Coker, Cook, Devereux, Drish, Earle, Fleming, Goodrich, Graham, Hall, Herbert, Houston of L. Houston of M. Hubbard Hudson of J. Johnson, Keener, King, Lee, Lusk, Mason, Musgrove, Norwood, Oliver, Perkins, Porter, Rather, Reaves, Rhodes, Richardson, Ross, Rugeley, Saunders, Scott, Simmons Stewart, Sumners, Thompson, Trotter, Ward, Williams, Wilson, Witherspoon, and Young.

Mr Breedin moved that the bill be referred to a select committee, whereupon, Messrs Breedin, Hubbard, Rhodes, Perkins and Porter, were appointed.

Mr Musgrove made the following report: The joint committee appointed on the part of this House to wait on his Excellency the Governor, and inform him that the two Houses of the General Assembly are now organized and ready to receive any communication that he may please to make, have performed that duty, and received for answer that he will make a communication to this House in writing forthwith. Ordered, that said report lie on the table.

A communication was received from the Governor, by James I. Thornton; which is as follows:

EXECUTIVE DEPARTMENT, Tuscaloosa, December 20th, 1832.

To the senate and House of Representatives of the State of Alabama:

Being informed by a joint committee of the two Houses, that the General Assembly are now organized and ready to receive any communication I may wish to make, I have to state, that I have nothing to add to my message of the fifth instant' and recommend the subjects therein contained to your deliberate consideration.

(SIGNED) JOHN GAYLE.

Ordered, that said communication lay on the table.

And the House adjourned until to-morrow morning, ten o'clock.

Wednesday, November 21.–The House met pursuant to adjournment.

Petitions were presented by Mr Breedin, of George Huggins, Sylvaint Bodereau, and Henry Bright, inhabitants of the city of Mobile, praying the emancipation of certain slaves therein named; which were several read and referred to the committee on propositions and grievances.

Mr Breedin presented the petition of sundry citizens of the city and county of Mobile, praying the passage of a law granting them a charter for a Bank to be located in the city of Mobile, with a capital of one million of dollars ; which was read and referred to the committee on the State Bank.

Mr. Hill presented the petition of sundry inhabitants of Shelby and Jefferson counties, praying the passage of a law to authorize David Merideth to turnpike a road from McMurry's old saw mill in Jefferson county, to Charles Mundine's old place in Shelby county; which was read and referred to the committee on roads, bridges and ferries.

Mr Lockhart presented the petition of sundry inhabitants who have settled on the Choctaw lands west of the Tombeckbee river, in this State, praying the passage of a law to lay off a county in the following bounds, viz: Beginning on Tombeckbee river at the township line between thirteen and fourteen, and run from thence due west to the Mississippi State line;

running from thence northwardly along the said line to the dividing line between townships twenty-three and twenty-four; from thence east along said township line to the Tombeckbee river ; which was read and referred to the committee on county boundaries.

Mr Johnson presented te account of the sheriff of Blount county; which was read and referred to the committee on accounts.

Mr Fortson presented the petition of sundry citizens of Green county, praying that an election precinct be established at George Johnson's which was read and referred to the committee on privileges and elections to consider and report thereon.

Mr Carmack presented the petition of John Peters, guardian of Henry A. Peters, praying the passage of a law to authorize him to bring into this State sundry negroes; which was read and referred to the committee on propositions and grievances.

Mr Moffett presented the account of Joseph Raspberry; which was read and referred tot he committee on accounts.

A message from the Senate by Mr Connor: Mr Speaker–The Senate have elected Messrs Hogan, Chapman and Bridges, a committee on the part of the Senate to act with such committee as may be elected on the part of the House of Representatives, to examine the affairs of the Bank of the State of Alabama.

Mr Ross presented the memorial of the grand jury of Wilcox county on the subject of summoning tales jurors; which was read and referred to the judiciary committee, to consider and report thereon.

Accounts were presented the Messrs Rather, Rugely, and Creagh; they were severally read and referred to the committee on accounts.

Mr Creagh presented the petition of sundry inhabitants of Clarke county, praying that persons be licensed to practice medicine under the Thompsonian system; which was read and referred to the select committee heretofore raised on that subject.

Mr Hill presented the petition of Mciajah Jones of Shelby county, praying a further extension of time to open a certain road therein mentioned; which was read and referred to the committee on roads, brigades and ferries.

Mr Ormond made the following report: The judiciary committee to whom was referred a petition of Charles L. Roach, and others, praying the passage of a law to reduce the fees of justices of the peace and constables; to require security for costs before the institution of suits and for other purposes; have has the same under consideration, and have instructed me to report that it is inexpedient to act on said petition; that in their opinion the fees of justices of the peace and constables are not more than adequate to the services they are required to render, that so much of said petition as prays a reduction of the fees of all the officers of the Government ; and prays an imposition of a fine on justices of the peace for permitting constables to fill up blank warrants and so much thereof as prays the passage of a law requiring security for costs of suit in all cases, is inexpedient, and does not require the action of this House, and ask leave to be discharges from the further consideration thereof; which was granted.

Ordered, that Messrs Cook and Hubbard be added to the committee on Indian and Indian affairs.

Mr trotter introduced a bill to be entitled an act to alter the time of holding the courts of commissioner of revenue and roads, of Washington county; which was read and ordered to a second reading.

On motion of Mr Williams: Resolved, That the judiciary committee be instructed to inquire into the expedient of amending the usury law, so that the principal sum of money loaned may be recovered.

On motion of Mr. Hill: Resolved, That the committee on propositions and grievances be instructed to inquire whether any, and if any, what amount of the taxes of Shelby county for 1829, should be relinquished to

Henry Gooche and Samuel McClanahan, the securities of the collector of that year, who were forced to pay the full amount of taxes without any allowance for insolvencies and improper assessments.

On motion of Mr Breedin: Resolved, That the committee on the State Bank be instructed to inquire into the expediency of establishing a Branch of the Bank of the State of Alabama, with suitable commercial regulations and capital, in the city of Mobile; that said committee be requested to confer with the select committee to whom was referred a bill to be entitled an act to incorporate the subscribers to the Union Bank of the State of Ala bama, and that they have leave to report by bill or otherwise.

Mr Musgrove offered the following preamble and resolution:

Whereas, it is a fact of notoriety to almost every person of this State, that there is a respectable and very numerous portion of the citizens of the same, who are deprived of the benefits of the act of Congress, granting the sixteenth sections of each township, to the exclusive use and benefit of the inhabitants of the same for literary purposes, in consequence of many of said sixteenth sections proving entirely valueless ; and whereas it was no doubt the intention of Congress that all the inhabitants of the State might be benefitted by said grant; therefore be it.

Resolved, That a select committee be appointed and instructed to draft a suitable memorial to the Congress of the United States, praying the same to grant one section of land for each township, wherever the sixteenth section had proved valueless, to be taken or selected from any appropriated lands lying within the bounds of the State of Alabama to be applied to the specific purpose of the above recited act of Congress.

Whereupon, Messrs Musgrove, Johnson, Paul, Porter and Houston of L. were appointed said committee.

On motion of Mr Lusk: Resolved, That the judiciary committee be instructed to inquire into expediency of authorizing by law, that the judge of the county court, where the commissioners of revenue and roads shall fail to attend any session of said court, shall proceed to discharge the business of the said court on the second day, as he is now authorized by law to do on the third day of the term,

Mr Ormond called up the resolution from the Senate proposing to go into the election of an attorney general. Mr Hall moved the following amendment “also a president and twelve directors of the Branch of the Bank of the State of Alabama, in the Tennessee Valley,” which was adopted. Mr Rather moved further to amend by striking out the words “this day,” to insert the word “Wednesday,” which was adopted. Mr Perkins moved further to amend the resolution by adding “a Secretary of State, Treasurer and Comptroller”; which was lost. The resolution, was amended, was then adopted. Ordered, that the clerk acquaint the Senate therewith.

Mr. Ormond introduced a bill to be entitled an act to enable Robert H. Watkins to erect a dam on the Tennessee river which was read and ordered to a second reading.

Mr Sumners introduced a bill to be entitled an act to repeal an act therein named; which was read and ordered to a second reading.

Mr Norwood introduced a bill to be entitled an act authorising a lottery for the benefit of Bellefonte academy, and for other purposes ; which was read and ordered to a second reading.

Mr Hubbard introduced a bill to be entitled an act to reduce the costs in the supreme court of the State of Alabama, which was read and ordered to a second reading.

Mr Rugely introduced a bill to be entitled an act authorizing a lottery for

the benefit of Lowndes Lodge of Ancient Freemasons, No. 33; which was read and ordered to a second reading.

On motion of Mr. Oliver: Resolved, That the president and directors of the Bank of the State of Alabama, report to this House such information as they may be in possession of in regard to the condition and management of the Branch Bank of the State of Alabama, at Montgomery.

On motion of Mr. Brodnax: Resolved, That this House will proceed forthwith to elect a committee to consist of four members to act with the committee elected on the part of the Senate, to examine the Bank of the State of Alabama; and also to elect a committee of seven members to lay off the Congressional Districts of this State; whereupon Messrs Cook, Breedin, Fleming and Earle, were elected to examine into the affairs and condition of the Bank of the State of Alabama.

The House then proceeded to elect a committee of seven members to lay of the Congressional Districts of this State.

Mr Creagh was duly elected from the first judicial circuit.

Mr Herbert was duly elected from the second circuit.

Mr Williams was duly elected from the third circuit

Mr Mason was duly elected from the fourth circuit.

Mr Rather was duly elected from the fifth circuit.

Mr Oliver was duly elected from the sixth circuit.

Mr Hudson of F. was duly elected from the seventh circuit.

Mr Hall offered the following resolution: Resolved, That the Speaker be authorised to add fourteen members, two from each judicial circuit, to the committee elected by the House for the purpose of laying off the several Congressional Districts of this State; which was rejected.

Mr Goodrich introduced a bill to be entitled an act providing for the payment of petit jurors in the county of Jackson; which was read and ordered to a second reading.

On motion of Mr. Norwood: Resolved, That the judiciary committee be instructed to inquired into the expedient of memorializing the Congress of the United State on the subject of reducing the present minimum price of the public lands, where the same have been heretofore offered for sale and not sold for want of bidders.

Mr Drish presented the account of the sheriff of Tuscaloosa county; which was read and referred to the committee on accounts.

On motion of Mr Hollis: Resolved, That the committee on roads, bridges and ferries, be instructed to inquire into the expediency of applying the interest arising from the three per cent. fund of the State of Alabama, to the improvement of the roads, bridges and causeways in the different counties in this State, in proportion to the population thereof, with leave to report by bill or otherwise.

On motion of Mr Musgrove: Resolved, That the military committee be instructed to inquire into the expediency of so amending the military law as may insure a more full return of the strength and condition of the militia of this State, with leave to report by bill or otherwise.

Mr motion of Mr Massey : Resolved, That the committee on county boundaries be instructed to inquire into the expediency of laying off all that part of the State of Alabama now occupied by the Creek Indians into counties ; with leave to report by bill or otherwise.

On motion of Mr Flournoy: Resolved, That the committee county boundaries be instructed to inquire into the propriety of organizing that part of the State of Alabama lately ceded by the Choctaw Indians, by dividing the same into counties, and subjecting it to the laws of the State, with leave

to report by bill or otherwise.

The hour of twelve o'clock having arrived, and agreeably to the rules of the House, the orders of the day must be taken up or suspended.

Mr Morrisette moved that the orders of the day be suspended for the purpose of introducing a bill; which was disagreed to.

The House then proceeded to the orders of the day.

The bill entitled an act to regulate the time of payment for lands sold at the land office in Courtland, was read a second time and referred to the committee on lands appropriated for internal improvement.

The bill entitled an act to provide for taking the census for 1833, was read a second time and referred to a select committee; whereupon, Messrs Rather, Cook, Graham, Houston of L. and Morrisette, were appointed said committee, to consider and report thereon.

The bill entitled an act to establish a penitentiary in the State of Alabama, was read a second time and referred to the committee on ways and means,

Bills of the following titles, to wit: Joint resolutions proposing amendments to the constitution of the State of Alabama, so as to have biennial sessions of the Legislature thereof ; an act requiring the clerks of the county courts of the several counties of this State, to make indexes, and reverse indexes, and providing fees for notaries in certain cases; and an act to amend the several acts in relation to garnished, were severally read a second time and referred to the judiciary committee, to consider and report thereon.

The bill entitled an act to provide for the improvement of a part of Coosa river, was read a second time and referred to the committee on inland navigation.

The bill for the relief of John Kidd was read a second time and referred to the committee on education.

The bill entitled an act for the relief of William Taylor, was read a second time and referred to a select committee consisting of messrs Paul, Herbert and Lea to consider and report thereon.

A message was received from the Senate by me Connor, their Secretary: mr Speaker —— The Senate concur in the amendments of the House of Representatives to the resolution of the Senate proposing to elect an Attorney General for this State. mr Herbert moved that the message lie on the table; which was agreed to.

The bill entitled an act to authorize Benjamin Dunn and his associates to erect a toll bridge across Mulberry creek, was read a second time and ordered to be engrossed for a third reading.

Mr Williams moved to postpone the orders of the day until to-morrow; which was agreed to.

The House then adjourned till 3'clock this evening.

Evening Session, 3 o'clock–On motion of mr Herbert: Ordered, that mr Tarrant be added to the committee on inland navigation.

On motion of mr Keener: Ordered, that mr Porter be added to the committee on Indians and Indian affairs.

On motion of mr Fleming: Ordered, that mr Scott be added to the committee on roads and bridges and ferries.

On motion of mr Hudson of F. Resolved, That the Senate be now invited to assemble in the Representative Hall for the purpose of going into the election of an Attorney General and a President and twelve Directors of the Branch Bank of the State of Alabama in the Tennessee Valley. Ordered, that the clerk acquaint the Senate therewith.

The Senate having repaired to the Hall of the House of Representatives and taken their seats, the two Houses proceeded to the election of Attor-

ney General for the State of Alabama. Samuel B. Moore, Peter Martin and Aaron Ready being in nomination. Moore 17, Martin 43; Ready 30.

Those who voted for Mr Moore, are Messrs Anderson Barclay Coopwood Dupuy and Irwin of H. : Representatives — Messrs Flournoy Houston of M. Hubbard Hudson of F. Lusk Musgrove Norwood Rather Rhodes Richardson and Ross.

Those who voted for Mr Martin are Messrs Ash Bridges Chapman Edmondson Erwin of G. Hogan M'Vay Morton Phillips Pickett Smith and Vining; Representatives–Messrs Speaker Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Fleming Graham Hollis Houston of L. King Lockhart Massey Mason Moffett Ormond Paul Scott Stewart Sumners Thompson Trotter Walker Williams Weissinger Witherspoon and Young.

Those who voted for Mr Reedy are Messrs President Abercrombie Hemphill Hill and Walthall: Representatives–Messrs Breedin Brodnax Coker Cook Devereux Fortson Goodrich Herbert Hill Johnson Keener Lee M'Afee Miree Morrisette Oliver Perkins Porter Reaves Rugely Saunders Simmons Tarrant Ward and Wilson.

Neither having a majority, the two Houses proceeded to a second ballot; the same persons being in nomination.

Those who voted for Mr Moore are Messrs Anderson Barclay Coopwood Dupuy and Irwin of H. Representatives–Messrs Flourney Houston of M. Hubbard Hudson of F. Lusk Musgrove Norwood Rather and Rhodes.

Those who voted for Mr Martin are Messrs Ash Bridges Chapman Edmondson Erwin of G. Hogan M'Vay, Morton Phillips Pickett Smith and Vining: Representatives-Messrs Speaker Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Fleming Goodrich Graham Hollis Houston of L. Hudson of J. King, Lockhart Massey Moffett Morrisette Ormond Paul Richardson Scott Stewart Sumners Thompson Trotter Walker Weissinger Williams Witherspoon and Young.

Those who voted for Mr Ready are–Messrs President Abercrombie Hemphill Hill and Walthall; Representatives–Messrs Breedin Broadnax Coker Cook Devereux Fortson Herbert Hill Johnson Keener Lee M'Afee Miree Oliver Perkins Porter Reaves Ross Rugely Saunders Simmons Tarrant Ward and Wilson.

Mr Martin having received a majority of all the votes given in, Mr Speaker declared Mr Martin to be duly elected Attorney General for the State of Alabama.

The two Houses then proceeded to the election of a President of the branch Bank located at Decatur. Mr Taylor, Southerland, Fuller and Lane being in nomination; for Mr Taylor 32 votes; Southerland 41; Fuller 16; Lane 1.

Those who voted for Mr Taylor are Messrs Anderson Coopwood Hogan Irwin of H. Phillips and Walthall: Representatives–Messrs Speaker Brodnax Drish Earle Flournoy Goodrich Herbert Houston of M. Hubbard Kenner Lee Lusk Massey Miree Morrisette Musgrove Norwood Oliver Ormond Porter Rhodes Saunders Scott Simmons Stewart and Trotter.

Those who voted for Mr Southerland are Messrs President Abercrombie Barclay Bridges Hemphill Hill Morton Pickett and Smith: Representatives–Messrs Breedin Camp Carithers Chamberlain Coker Cook Davis Devereux Fleming Fortson Graham Hill Hollis Houston of F. Johnson Lockhart M'Afee Moffett Paul Perkins Rather Reaves Ross Rugely Tarrant Thompson Walker Ward Weissinger Williams Wilson and Witherspoon.

Those woh vote for Mr Fuller are Messrs Ash Dupuy Edmondson Erwin of G M'Vay and Vining; Representatives–Messrs Brickell Carmack Creagh Houston of L Hudson of J. King Mason Richardson Sumners and Young.

Those who voted for Mr Lane are Mr Coopwood.

Neither having a majority the two Houses proceeded to a second ballot: Mr Southerland and Taylor being in nomination.

Those who voted for Mr Southerland are Messrs President Abercrombie Barclay Bridges Dupuy Edmondson Erwin of G. Hemphill Hill M'Vay Morton Pickett and Smith: Representatives–Messrs Brickell Camp Carithers Coker Cook Creagh Davis Devereux Fleming Graham Herbert Hill Hollis Houston of L. Hudson of F. Hudson of J. Johnson King Lockhart M'Afee M'Rea Mason Moffett Paul Perkins Rhodes Robinson Ross Rugely Sumners Tarrant Thompson Walker Ward Weissinger Willaims Wilson and Young.

Those who voted for Mr Southerland are Messrs President Abercrombie Barclay Bridges Dupuy Edmondson Erwin of G. Hemphill Hill M'Vay Morton Pickett and Smith: Representatives–Messrs Brickell Camp Carithers Coker Cook Creagh Davis Devereux Fleming Graham Herbert Hill Hollis Houston of L. Hudson of F. Hudson of J Johnson King Lockhart M'Afee M'Rea Mason Moffett Paul Perkins Rhodes Robinson Ross Rugely Sumner Tarrant Thompson Walker Ward Weissinger Willaims Wilson and Young.

Those who vote for Mr Taylor are Messrs Anderson Ash Coopwood Hogan Irwin of H. Phillips Smith and Walthall, Representatives–Messrs Speaker Breedin Brodnax Carmack Chamberlain Drish Earle Flournoy Fortson Goodrich Houston of M.

Hubbard Keener Lee Lusk Massey Miree Morrisette Musgrove Norwood Oliver Ormond Porter Richardson Saunders Scott Simmons Stewart Trotter and Witherspoon.

Mr Chapman voted for Mr Lane.

Mr Southerland having received a majority of all the votes given in, Mr Speaker declared him duly elected President of the branch of the bank of the State of Alabama located at Decatur.

The two houses then proceeded to the election of twelve Directors of the branch Bank located at Decatur. Mr J. T. Sykes, H. Green, J. Garth, I. Lane, T. M'Elderry, J. Fennel, W.A. Sykes, J. W. Talmage, W.A. Hodges, R. Barclay, A. Finly, Thos. Fearn, John Simpson, J. Donegan, G. Burnett, Thomas W. Lin, W.J. Gamble, Jas. Lane, Harden Burt, D.A. Martin, P. Lile, E. F. Logwood, and J. K. Swoope being in nomination.

Those who voted for Mr. J.T. Sykes are Messrs President, Abercrombie Anderson Ash Barclay bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. M'Vay Morton Phillips Pickett Smith Vining and Walthall; Representatives-Messrs Brickell Camp Carmack Carithers Chamberlain Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Herbert Hollis Houston of L. Houston of M Hubbard Hudson of F. Hudson of J. Johnson Keener Lee Lusk M'Afee M"Rea Mason Miree Moffett Musgrove Norwood Oliver Ormond Porter Rather Reaves Rhodes Richardson Rugely Saunders Scott Simmons Sumners Tarrant Thompson Trotter Walker Weissinger Williams Wilson Witherspoon and Young.

Those who voted for H. Green are Messrs Abercrombie Anderson Ashe Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H Phillips Smith and Walthall: Representatives–Messrs Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Cook Creagh Davis Devereux Drish Earle Fleming Fortson Graham Herbert Hollis Houston of M Hubbard Houston J Johnson Keener Lee Lockhart Lusk M'Rea Massey Mason Miree Moffett Musgrove Norwood Oliver Ormond Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Trotter Weissinger Williams Wilson Witherspoon and Young.

Those who voted for J. Garth are Messrs President Abercrombie Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G Hemphill Hill Hogan Irwin of H. M'Vay Morton Phillips Pickett Smith Vining and Walthall; Representatives-Messrs Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Cook Creagh Davis Devereux Drish Earle Flournoy Fortson Goodrich Graham Herbert Hill Hollis Houston of L Houston of M Hubbard Hudson of F Hudson of J Johnson Keener King Lee Lockhart Lusk M'Afee M'Rea Massey Mason Miree Moffett Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Rugely Saunders Simmons Sumners Thompson Trotter Walker Weissinger Williams Wilson Witherspoon and Young.

Those who voted for Isaac Lane are Messrs President Abercrombie Anderson Ash Barclay Bridges Chapman Dupuy Edmondson Erwin of G. Hemphill Hill Irwin of H. M'Vay Morton Phillips Pickett Smith Vining and Walthall: Representatives–Messrs Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Herbert Hill Hollis Houston of L Houston of M Hubbard Hudson of F Hudson of J Johnson Keener King Lockhart Lush M'Afee M'Rea Mason Miree Moffett Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Weissinger Williams Wilson Witherspoon and Young.

Those who voted for Mr T. M'Elderry are Messrs President Abercrombie Ash Barclay Bridges Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin

of H M'Vay Phillips Pickett Smith Vining and Walthall: Representatives-Messrs Breedin Camp Carithers Chamberlain Cook Creagh Devereux Drish Earle Flournoy Fortson Graham Herbert Hill Hollis Houston of M Hubbard Hudson of F Hudson of J Johnson Keener King Lockhart M'Afee M'Rea Massey Mason Miree Moffett Musgrove Norwood Oliver Paul Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Sumners Thompson Trotter Walker Weissinger Wilson and Witherspoon.

Those who voted for Mr Fennel are Messrs Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Irwin of H

Morton Phillips Smith and Walthall: Representatives–Messrs Breedin Brodnax Carmack Carithers Chamberlain Creagh Davis Devereux Drish Earle Goodrich Hollis Houston of M Hubbard Hudson of F. Johnson Keener Lusk M'Afee Massey Mason Miree Musgrove Norwood Perkins Porter Rather Reaves Rhodes Richardson Saunders Scott Sumners Thompson Trotter Walker Weissinger Wilson Witherspoon and Young.

Those who voted for William A. Sykes are Messrs President Abercrombie Anderson Ash Chapman Coopwood Dupuy Erwin of G. Hemphill Hill Irwin of H. Phillips and Walthall: Representatives–Messrs Breedin Brodnax Carithers Hollis Houston of M Johnson Keener Lee M'Afee M'Rea Miree Musgrove Norwood Oliver Hall Perkins Porter Rather Reaves Rhodes Richardson Scott Stewart Thompson and Trotter.

Those who voted for James W. Talmage are Messrs President Abercrombie Anderson Ash Barclay Coopwood Hemphill Hill Hogan Irwin of H Morton Phillips and Walthall: Representatives- Messrs Breedin Brodnax Cook Davis Devereux Drish Earle Fleming Fortson Goodrich Herbert Hill Hollis Houston of L Hous ton of m Hubbard Hudson of F Johnson Keener King Lockhart Lusk M'Afee M'Rea Massey Miree Moffett Musgrove Norwood Ormond Paul Porter Rather Reaves Rhodes Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Williams Wilson Witherspoon and Young.

Those who voted for William A. Hodges are Messrs President Abercrombie Anderson Ash Coopwood Dupuy Hemphill Hill Hogan M'Vay Morton Phillips Pickett Smith and Walthall: Representatives–Messrs Breedin Brodnax Cook Davis Devereux Earle Fleming Flournoy Fortson Goodrich Graham Hill Hollis Houston of L Hubbard Hudson of F King Lee Lockhart Lusk M'Rea Massey Miree Moffett Mus grove Ormond Paul Porter Reaves Rhodes Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Walker Williams Wilson and Young.

Those who voted for A.R. Barclay are messrs President Abercrombie Anderson Barclay Bridges Coopwood Dupuy Edmondson Erwin of G Hill Hogan Irwin of H M'Vay Morton Pickett Smith and Vining: Representatives–Messrs Camp Chamberlain Creagh Davis Drish Earle Fleming Flournoy Goodrich Graham Hill Herbert Hudson of J Johnson King Lockhart Lush M'Afee Massey Miree Moffett Musgrove Norwood Oliver Paul Porter Reaves Saunders Scott Stewart Sumners Tarrant Trotter Walker Weissinger Williams Wilson Witherspoon and Young.

Those who voted for Mr A Finley are messrs Phillips and Vining: Representatives Messrs Brickell Camp Carmack Cook Devereux Fleming Flournoy Fortson Goodrich Graham Herbert Hill Houston of L Hudson of J King Lockhart Lush Massey Mason Norwood Oliver Ormond Richardson Ross Rugely Scott Simmons Stewart Tarrant Trotter and Walker.

Those who voted for Mr Fearn are messrs President Abercrombie Anderson Ash Barclay Bridges Coopwood Dupuy Edmondson Erwin of G Hogan Irwin of H M'Vay Morton Phillips Pickett Smith Vining and Walthall: Representatives–Messrs Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Cook Creag Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Herbert Hill Hollis Houston of L'Houston of M Hubbard Hudson of J King Lockhart M'Afee Massey Mason Moffett Musgrove Oliver Ormond Paul Perkins Porter Rather Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Walker Weissinger Williams and Witherspoon.

Those who voted for Mr John Simpson are Messrs President Anderson Ash Barclay Bridges Coopwood Dupuy Edmondson Erwin of G Hemphill Hill Hogan Irwin of H M'Vay Morton Smith and Vining: Representatives-Messrs Brickell Camp Carmack Carithers Chamberlain Cook Creagh Davis Devereux Earle Fleming Flournoy Fortson Goodrich Graham Herbert Hill Houston of L Hubbard Hudson of F Hudson of J Johnson King Lockhart Lusk M'Afee Massey Mason Moffett Musgrove Oliver Or-

mond Paul Richardson Ross Saunders Simmons Stewart Sumners Tarrant Thompson Weissinger Williams Wilson Witherspoon and Young.

Those who voted for Mr Donegan are messrs Anderson Barclay Bridges Edmondson Erwin of G Hogan M'Vay Morton Pickett Smith and Vining: Representatives– Messrs Breedin Brickell Brodnax Camp Carmack Chamberlain Creagh Davis Drish Fleming Flournoy Goodrich Graham Herbert Hill Hollis Houston of L Hudson of F Hudson of J Johnson King Lockhart Luck M'Afee Massey Moffett Norwood Oliver Ormond Paul Perkins Rhodes Ross Rugely Scott Simmons Tarrant Weissinger Williams Wilson Witherspoon and Young.

Those who voted for Mr Barnett are Messrs President Bridges Chapman Hemphill M'Vay Morton Vining and Walthall: Representatives —— Messrs Brickell Davis Houston of M Norwood Rather Stewart Tarrant and Young.

Those who voted for Thomas M. Linn are messrs Coopwood Edmondson Hogan M'Vay and Walthall: Representatives-Messrs Brickell Carmack Carithers Davis Drish Fortson Goodrich Hollis Houston of L Houston of M Hudson of F Hudson of J Keener M'Rea Miree Rather Reaves Rhodes Richardson Scott Trotter Walker and Weissinger.

Those who voted for Mr Gamble are Messrs President Abercrombie Barclay Bridges Dupuy Edmondson Erwin of G Hemphill Hill Hogan M'Vay Morton Phillips Pickett Smith Vining and Walthall: Representatives–Messrs Breeding Brickell Brodnax Camp Carmack Carithers Chamberlain Cook Davis Devereux Drish Earle Fleming Flournoy Graham Herbert Hill Houston of M Hubbard Hudson of F Hudson of J Johnson Keener King Lockhart Lusk M'Afee M'Rea Massey Mason Miree Olive Ormond Paul Perkins Porter Reaves Richardson Ross Rugely Saunders Scott Simmons Sumners Thompson Trotter Walker Weissinger Williams Wilson and Young.

Those who voted for Mr Joseph Lane are Messrs Chapman and Hill : Representatives — Messrs Houston of M Rather and Stewart.

Those who voted for Mr Burt and mr Chapman of the Senate and Mr Keenen of the House of Representatives.

Those who voted for Mr D.A. Martin are Messrs Chapman and Pickett.

Those who voted for Mr Lyle are Mr Chapman.

Those who voted for Mr Logwood are Mr Chapman.

Those who voted for Mr J. K. Swoop are messrs Anderson Pickett and Vining: Representatives—Messrs Breedin Brickell Broadnax Camp Carithers Chamberlain Creagh Fleming Flournoy Fortson Herbert Houston of L Hudson of J Keener King M'Afee M'Rea Mason Moffett Ormond Paul Perkins Richardson Ross Rugely Stewart Tarrant and Witherspoon.

Messrs J. Sykes, Green Garth Isaac Lane, M'Elderderry, Fennell, Talmage, Hodges, Barclay, Fearn, Simpson and Gamble having received the highest number and a majority of all the votes given, were declared by Mr Speaker duly elected Directors of the branch Bank of the State of Alabama in the Tennessee Valley.

The Senate then withdrew: and the House adjourned until to-morrow morning, ten o'clock.

Thursday, November 22- The House met pursuant to adjournment.

Mr Lockhart presented the petition of sundry inhabitants of Marengo and Green counties, praying the removal of the United State land office from St. Stephens to the town of Demopolis; which was read.

Mr Trotter moved that the further consideration of the petition be postponed for two weeks; which was carried.

Mr Mason presented the petition of sundry inhabitants of the county of Limestone, praying the establishment of a Bank; which was read and referred to the committee to which was referred other petitions on that subject.

Mr McRea presented the petition of John Cockrill, a citizen of the county of Franklin, a purchaser of University lands, asking relief; which was read and referred to the committee on propositions and grievances.

Mr Flournoy presented the account of Samuel B Moore, of Pickens county; which was read and referred to the committee on grievances.

Mr Norwood presented the petition of sundry inhabitants of Jackson county, praying that William Burns be authorised to continue his mill on Paint Rock river and for other purposes, which was read and referred to the committee on inland navigation.

Mr Broadnax, from the committee on roads, bridges and ferries, two whom was referred the petition of sundry citizens of the counties of Lauderdale and Limestone, reported that the prayer of the petitioners in unreasonable

and ought not to be granted. Mr Mason moved that the report lie on the table, which was carried.

Mr Paul, from the select committee, to whom was referred the bill entitled an act for the relief of William Taylor, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

On motion of Mr Goodrich: Resolved, That the judiciary committee be instructed to inquire into the expediency of reducing the tax on billiard tables and report by bill or otherwise.

On motion of Mr Hudson of J. Resolved, That the committee on inland navigation be instructed to inquire into the expediency of passing a law repealing or modifying an act entitled an act to authorize Joseph G. Garrett and James W. Hill, of Madison county, to build a mill on the Paint Rock river, in said county, approved January 20, 1832, with leave to report by bill or otherwise.

On motion of Mr Ormond: Resolved, That the committee on education be instructed to inquire into the practicability and expediency of devising some plan having for its object the establishment of primary schools, either in aid of the sixteenth sections or by a separate establishment, and that they have leave to report to bill or otherwise.

On motion of Mr Davis: Resolved, That the committee on ways and means be instructed to inquire into the expediency of passing a law, authorising the several counties of this State, the right of disposing of all the monies from tavern license, and license for retailing spiritous liquors, with leave to report by bill or otherwise.

On motion of Mr Devereux: Resolved, That the committee on privileges and elections be instructed to inquire into the expediency of abolishing the election precinct at the house of William Taylor, in Conecuh county, and establishing one at the ferry of William F. Spier, on the Conecuh river; and also at the house of George Brown, in Jackson county; and one at the house of Peram Pollard, in Pickens county; and one at the house of William Waters in Perry county, and abolishing one at Ford's mill; and also at the house of Daniel Benford, in Lauderdale county; one at Claysville, in Jackson county; and abolish the one at Starn's or Roger's; also to discontinue the one at the house of John Hambrick, and establish one at the house of Tira Roberts, in Monroe county ; and also to abolish one at the precinct at Warrior bridge, in Washington county, and abolishing the one at the house of Moses Lloyd, in Monroe county; and establish one at the house of Thadeus Walker, in Marion county.

Mr Ormond introduced a bill to be entitled an act to enable Amos Robinson to emancipate a slave therein named; which was read and ordered to a second reading.

Mr Thompson introduced a bill to be entitled an act to view, lay out and mark a road therein named; which was read and ordered to a second reading.

Mr Morrisette introduced a bill to be entitled an act for the relief of Memorable W. Creagh; which was read and ordered to a second reading.

Mr Musgrove introduced a bill to be entitled an act to supplemental to an act to establish a turnpike road therein mentioned, approved January 7, 1830, which was read and ordered to a second reading.

Mr Flournoy introduced a bill to be entitled an act to repeal an act passed December 20, 1828, entitled an act regulating the compensation of jurors in Pickens county; and also the act passed January 13, 1832, entitled an act to provide for the payment of jurors in the county of Pickens; which was read and ordered to a second reading.

Mr Rather introduced a bill to be entitled an act to repeal in part an act entitled an act to raise a revenue for the support of government until otherwise altered by law; passed the 20th of January, 1832; which was read and ordered to a second reading.

Mr Earle offered the following resolution: Resolved, That the committee on inland navigation be instructed to inquire into the expediency of

making an appropriation from the three per cent fund for the improve-

ment of the navigation of the Black Warrior river, above the town of Tuscaloosa.

Mr Porter offered the following amendment: “Also that the committee inquire into the expediency of appropriating a portion of said fund to the removal of the obstructions on Tate’s shoals on the Alabama river,: which was adopted.

Mr Scott offered the following amendment: “Also Flint river, in Madison county:” which was adopted.

Mr Lee offered the following amendment: “Also to remove the obstructtions from that part of Cahawba river, that is in Perry county.”

Mr Earle moved that the resolution lie on the table, which was carried

Mr Flournoy introduced a bill to be entitled an act further to repeal an act entitled an act to incorporate the town of Carrollton in the county of Pickens, and Fayetteville in the county of Fayette, and for other purposes, passed January 15, 1831, which was read and ordered to a second reading.

Mr Scott introduced a bill to be entitled an act to regulate the practice of medicine according to the Thompsonian or botanic system; which was read and ordered to a second reading.

On motion of Mr Chamberlain: Resolved, That the judiciary committee be instructed to inquire into the expediency of granting to the judges of the supreme court, power to grant injunctions in cases tried in the circuit courts, with leave to report by bill or otherwise.

On motion of Mr Keener: Resolved, That the judiciary committee be instructed to inquire into the expediency of repealing so much of the law of this State as requires citizens of this State to pay taxes before they are entitled to the right of suffrage; with leave to report by bill or otherwise.

Mr Graham presented the memorial of the President and Vice President of the colonization society at Huntsville, on the subject of emancipation slaves, which was read and referred to a select committee; whereupon, messrs Graham, Wilson, Hudson of J. Camp and Brickell, were appointed said committee, to consider and report thereon.

On motion of Mr Young: Resolved, That the committee on roads, bridges and ferries, be instructed to inquire into the expediency of passing a law giving the county judges and commissioners of roads and revenue in the several counties of this State, jurisdiction of all the State roads in their several counties; and report by bill or otherwise.

Mr Tarrant introduced a bill to be entitled an act to authorize David Merideth to turnpike a certain road therein named; which was read and ordered to a second reading.

On motion of Mr Drish: Resolved, That a committee on emancipation be appointed by the Speaker of the House of Representatives, in addition to the standing committees of this House; and that all bills and petitions for emancipation which have been referred to other committees, be transferred to said committee; whereupon, messrs Drish Chamberlain, Mason McRea, Scott, Earle and Davis were appointed.

Mr Goodrich introduced a bill to be entitled an act to reduce the fees of clerks of the county courts, and justices of the peace in certain cases; which was read a first and ordered to a second reading.

Mr Earle introduced a bill to be entitled an act to provide for the improvement of the Black Warrior river above the town of Tuscaloosa, which was read a first and second time forthwith, and referred to the committee on inland navigation.

Mr Richardson introduced a bill to be entitled an act to authorize the

judge of the county court and commissioners of roads and revenue of the county of Limestone, to levy a tax for the building of a new court-house in the town of Athens, for said county, which was read and ordered to a second reading.

Mr Hollis introduced a bill to be entitled an act more particularly defining powers of the commissioners of roads and revenue in certain cases therein specified; which was read and ordered to a second reading.

Mr Cook introduced a bill for the relief of witnesses and jurors; which was read and ordered to a second reading.

On motion of mr Musgrove: Resolved, That the military committee be instructed to inquire into the expediency of so amending the law regulating the militia of this State, so as to make it the duty of all division, brigade and regimental staff officers, and all platoon officers to equip themselves within a certain specified time; with leave to report by bill or otherwise.

Mr Morrisette introduced a bill to be entitled an act to amend and repeal an act entitled an act to prevent the introduction of slaves into Alabama, and for other purposes, approved January 16, 1832; which was read and ordered to a second reading.

Mr Porter introduced a bill to be entitled an act to amend the laws in relation to sales of property under execution; which was read and ordered to a second reading.

Mr Breeding introduced a bill to be entitled an act authorizing James B. Slade and John F. Everett administrators of ——— Slade, to sell real estate; which was read and ordered to a second reading.

On motion of mr Chamberlain: Resolved, That the judiciary committee be instructed to inquire into the expediency of providing by law a compensation for tales jurors; with leave to report by bill or otherwise.

Mr Chamberlain offered the following: Resolved, That the forty-fifth rule of this House be rescinded, which lies over one day for consideration.

On motion of mr Williams: Resolved, That this House, with the concurrence of the Senate, will at the hour of three o'clock this day, proceed to elect a State printer, at which time the Senate are invited to attend in the Representative Hall. Ordered, that the clerk acquaint the Senate therewith.

Mr Drish introduced a bill to be entitled an act to emancipate certain slaves therein named; which was read and ordered to a second reading.

On motion of mr Devereux: Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the law in relation to the duty of coroners, so as to compel them to give additional security when required to do so by the judges of the county courts.

On motion of mr King : Resolved, that the judiciary committee be instructed to inpuire into the expediency of passing some law the better to protect the owners of patent rights; with leave to report by bill or otherwise.

Mr Speaker laid before the house the report of the President of the Bank of the State of Alabama; which was read, and which is as follows:

BANK OF THE STATE OF ALABAMA,
TUSCALOOSA, NOV. 21, 1832.

To the Hon. Speaker of the House of Representatives:

SIR: Agreeably to the provisions of the 12th Section of the Act of the General Assembly, entitled "An act to establish the Bank of the State of Alabama,' I have the honor to lay before that branch of the General Assembly over which you preside, the annual statement in relation to said Bank, to wit:

Capital Stock of the Bank..... $771, 539 61¾

Notes in circulation..... 500, 206

Moneys on deposite, to wit:

To credit of Internal Improvement fund..... $226, 639 27
" " " President of Directors of Board of Internal Improvement..... 18, 273 16
" " " Common school fund..... 58,527 86¼
" " " Partial payments..... 28, 855 84
" " " Individual depositors..... 216, 434 98
548, 731 11¾

Note.–It is to be remarked that, in the item of individual depositors, is included the amount of profit resulting from the operations of the Bank for one year ending the 9th instant, and also the amount in Bank to the credit of the State Treasurer.

Debts due the Bank on notes discounted..... $ 1,082,695 90
' ' ' Bills of Exchange purchased..... 553, 621 97
' ' 'From other Banks..... 86, 924 88
Cash, Notes of other Banks..... 32,089 00
Specie..... 130,948 44
Property, real and personal..... 11, 604 62

All of which is respectfully submitted by order of the Board.

JOHN L. TINDALL, President.

An abstract of the Annual Settlement of the Books of the Bank of the State of Alabama for twelve months ending the 9th of November, 1832, made under the direction of the President and Directors.

Gain by Discount received for 12 months ending this day..... 90, 688 29
' Interest do ' ' ' ' 3, 165 76
' Premium do ' ' ' ' 3, 185 82
' Profit and Loss ' ' ' ' 9, 138 42
---------- $106, 178 29

Loss to current expense for 12 months ending this day..... 7, 165 94
' Interest paid to commissioners of common school funds 2, 563 15
---------- $ 9,729 20

Balance out of which Dividends are declared in proportion to Stock..... $ 96, 449 20

TO WIT:

Dividend to State Loans Stock $200,000 @12.79 $25,581 82
' University fund stock.
9th November last 175,127 83 ½
' Increased 10th Feb. last 6,000 00
---------- $ 181, 127 83 ¼.....22, 895 54
Three per cent fund
stock, 9th Nov. last 111, 510 14
Increased 9th June 26, 081 11
----------$137, 591 25 .....15, 633 79
Revenue fund stock.....252,820 53 ½.....32, 388 05 $ 96,449 20

Dollars 771, 539 61 ¾

Gross gain brought down..... $ 106, 178 09

DISBURSEMENTS

To interest paid on 6 per cent. State stock to 1st ultimo..... 12,000 00

University funds to this date 10,777 66
Funds arising from the sale of common school lands..... 2,563 15

Dividend to three per cent. fund as above..... 15, 633 79
Revenue fund.....$32,388 05
This amount placed to credit revenue fund
being the gain on 6 per cent, state stock.....13,581 82
This amount ‘ ‘ University fund.....12, 117 88
----------.....58,037 75
Current expense account for 12 months ending to day.....7, 165 94 $ 106, 178 29

DANIEL M. RIGGS, Cashier.

BANK OF THE STATE OF ALABAMA, Tuscaloosa, Nov. 9, 1883.

Ordered, that said report, with the accompanying documents lie on the table, and that two hundred copies thereof be printed for the use of this House.

Mr Speaker laid before the House the report of the commissioners appointed to superintend the building of the State Capitol; which was read.

Ordered that said report and accompanying documents lie on the table, and that two hundred copies be printed for the use of this House.

Mr Speaker laid before the House the following communication.

To the Hon. the General Assembly of the State of Alabama:

The undersigned, to whom was committed, by legislative appointment, the duty of examining the Digest of the laws of this State, prepared by John G. Aikin, Esq. would respectfully state to your Honorable body, that although they entered upon the discharge of their duties at the time required by law, and have since continued to prosecute them with remitting diligence, they have not have been able as yet to complete the task in a manner satisfactory to themselves, nor likely to prove satisfactory to the General Assembly, in a matter of such unquestionable public importance. As the period is at hand at which the undersigned were required to make their report, they are induced by the considerations above stated, to ask your Honorable body such as extension of the time as may be necessary for the proper completion of their duties. It is believed that one additional week will be sufficient. Respectfully, JOHN BROWN, (red.)

R.E.B. BAYLOR

C.R. CLIFTON

November 22, 1832.

Hon. SAMUEL W. OLIVER, Speaker of the House of Representatives.

Ordered, that said communication lie on the table.

On motion of Mr Houston of L. Resolved, That the judiciary committee be instructed to inquire into the expediency of making it the duty of the clerks of the circuit courts of this State to retain on file in their respective offices, the original of all interrogatories files in the same, and granting to such person or persons as make application, a true and correct copy or copies of said interrogatories, and receive a compensation therefor; with leave to report by bill or otherwise.

The House then proceeded to the orders of the day.

The engrosses bill entitled an act to authorize Benjamin Dunn, and his associates, to erect a toll bridge across Mulberry creek; was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The bill entitled an act to repeal the several laws now in force regulating the practice and licensing of physicians in this State, was read and the second time and referred to the select committee to which was referred sundry petitions on the same subject.

The bill entitled an act to establish a State road from the town of Tuscaloosa to the Mississippi State line, in the direction of Jackson, in the State of Mississippi; was read the third time and referred to the committee on roads, bridges and ferries; to consider and report thereon.

A bill entitled an act to levy a tax upon the cattle of non-residents, was read a second time. mr Devereux moved to amend it by adding after the word ‘Dale,’ the words ‘Conecuh and Covington;’ which was adopted. mr Reaves moved to amend it by adding the word ‘Pike.’ The bill was referred to the committee on ways and means.

The bill entitled an act for the better regulation of patrols, was read the second time and referred to the military committee.

The bill entitled an act to legitimate and confirm the name of a certain person therein named, was read a second time and referred to a select committee consisting of messrs Cook, Devereux and Musgrove.

Bills of the following titles, to wit : An act authorizing a lottery for the

improvement of a road therein named ; an act to alter the time of holding the courts of commissioners of revenue and roads of Washington county; an act authorizing a lottery for the benefit of Lowndes Lodge of Ancient Freemasons No. 33; and an act providing for the payment of petit jurors in the county of Jackson, were severally read a second time and ordered to be engrossed for a third reading.

The bill entitled an act to authorize one justice of the peace and one free-holder to received due acknowledgment and probate of deeds and relinquishment of dower, was read a second time. mr Simmons moved to amend the bill by striking out the word “respectable”; which was carried. The bill was then referred to the judiciary committee.

Bills of the following titles, to wit: An act to amend an act entitled an act to extend the powers of the county and orphans’ court ; an act to repeal an act therein named ; an act to reduce the costs of the supreme court of the State of Alabama, were severally read a second time and ordered to be engrossed for a third reading.

The bill entitled an act for the relief of the tax collector of Walker county, was read a second time. mr Weissinger moved that the bill be indefinitely postponed; which was lost. It was then referred to the judiciary committee.

Bills of the following titles, to wit: An act to incorporate for a limited time the Crow Creek navigation Company; an act to enable Robert H. Watkins to erect a dam on the Tennessee river, were severally read the second time and referred to the committee on inland navigation.

The bill entitled an act to establish a permanent road from Tuscaloosa to the Mississippi State line, was read the second time and referred to the committee on roads, bridges and ferries.

The bill entitled an act authorize a lottery for the benefit of Bellefont academy and for other purposes, was read a second time and referred to the committee one education to consider and report thereon.

The House adjourned till to morrow morning, 10 o’clock.

Friday, Nov. 23, 1832.

A message from the Senate by Mr Connor: Mr Speaker–The Senate concur in the resolution of the House of Representatives proposing to go into the election of a State Printer this day at the hour of three o’clock, and have amended the same by striking out the words “this day,” and inserting in lien thereof the word ‘Friday’: they have also amended the same further by adding after the word ‘Printer’ the following: ‘whose term of service shall commence from and after the 18th day of January next,’ in which they ask the concurrence of honorable body. Mr Perkins moved the following amendment: ‘and also, that the two Houses will at the same time go into the election of a Secretary of State. Mr Hubbard moved that the further consideration of the resolution be postponed until Tuesday next. Mr Flournoy moved the previous question. The question was, Shall the call be sustained? and passed in the affirmative. The main question was then put, viz: Shall the resolution and amendment be postponed until Tuesday next? And lost. Yeas 32–nays 36.

The yeas and nays being desired; those who voted in the affirmative are, Messrs Breedin, Brickell, Brodnax, Cook, Devereux, Drish, Earle, Hall, Herbert, Hollis, Houston of M. Hubbard, Hudson of F. Johnson, Keener, Lee, M’Afee, Miree, Musgrove, Oliver, Paul, Porter, Reaves, Richardson, Ross, Rugely, Saunders, Scott, Simmons, Trotter, Ward, and Wilson.

Those who voted in the negative are, Messrs Speaker, Camp, Carmack, Carithers, Chamberlain, Creagh, Davis, Fleming, Flournoy, Fortson, Goodrich, Graham, Hill, Houston of L. Hudson of J. King, Lockhart, Lusk, M’Rea, Mas-

sey, Mason, Moffett, Morrisette, Norwood, Ormond, Perkins, Rather, Rhodes, Stewart, Sumners, Tarrant, Walker, Weissinger, Williams, Witherspoon, and Young.

The question recurred on Mr Perkins' amendment and lost. A division of the question being called on the amendments, the vote was first taken on striking out the words 'this day.' to insert 'Friday,' and carried. The question was then on the second amendment, and carried. Ordered, that the clerk acquaint the Senate therewith.

Mr Hudson of F. presented the memorial of sundry inhabitants of Franklin county, purchasers of university lands, asking relief; which was read. Mr Hudson moved that the petition be referred to the committee on propositions and grievances; which was lost. It was then referred to the committee on education.

Mr Brodnax presented the accounts of the sheriff and jailor of Autauga county ; they were severally read and referred to the committee on accounts.

Mr Fortson presented the petition of Robert Craig, of Green county, praying the passage of a law to authorize the sale of certain real estate; which was read and referred to a select committee consisting of messrs Fortson, Moffett and Witherspoon.

Mr Breedin presented the petition of John F. Everett and James B. Slade, administrators of Henry B. Slade, deceased, praying the passage of a law to authorize the sale of certain real estate; which was read and ordered to lie on the table.

Ordered, that messrs Thompson and Coker have leave of absence until Tuesday next.

Mr Order from the judiciary committee to whom was referred joint resolutions proposing amendments to the constitution of the State of Alabama so as to have biennial sessions of the Legislature thereof, reported that the proposed amendment is inexpedient, and pray to be discharged from the further consideration. The question was to concur in the report of the committee, and carried. Yeas 47–nays 20.

The yeas and nays being desired, those who voted in the affirmative are Messrs Breedin Bricknell Brodnax Camp Carithers Chamberlain Cook Creagh Davis Drish Earle Fleming Flournoy Fortson Graham Herbert Hall Hill Houston of m. Hudson of F, Keener Lea Lockhart M'Afee Massey Mason Miree Moffett Morrisett Oliver Ormond Paul Perkins Porter Rather Reaves Richardson Ross Rugely Simmons Sumners Tarrant Ward Weissinger Williams Wilson and Witherspoon,

Those who voted in the negative are, Messrs Carmack Devereux Goodrich Hollis, Houston of L. Hubbard Hudson of J. Johnson King Lusk M'Rea Musgrove Norwood Rhodes Saunders Scott Stewart Trotter Walker and Young.

The hour of 12 having arrived, mr Rather moved that the orders of the day be suspended for the purpose of introducing a resolution; which was agreed to.

Mr Rather introduced a joint resolution to repeal the third section of ac act therein named; which was read the first time, and the constitutional rule requiring bills and joint resolutions to be read on three several days being dispensed with, it was read a second time forthwith, and the rule being further dispensed with, it was then read a third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent forthwith to the Senate for their concurrence.

Mr Ormond moved that the orders of the day be suspended generally; which was agreed to.

On motion of mr Ormond: Resolved, This House will on to-morrow at

11 o’clock, go into committee of the whole on the message of the Governor,
Mr Ormond from the judiciary committee to who was referred the pe-

tition of Margaret Martindale, reported a bill to be entitled an act for the relief of John B. Martindale; which was read and ordered to a second reading.

Mr Ormond, from the judiciary committee to whom was referred a bill entitled an act requiring the clerks of the several counties of this State to make indexes and reverse indexes, and providing fees for notaries in certain cases, reported the same without amendment. The bill was then ordered to be engrossed for a third reading.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of memorializing Congress on the subject of reducing the present minimum price of the public lands when the same have been heretofore offered for sale and not sold for the want of bidders, reported that it is expedient and beg leave to recommend that the same be referred to a select committee. Mr Hudson of F. moved that the report lie on the table; which was carried.

Mr Houston of M. from the committee on roads, bridges and ferries to whom was referred the petition of sundry inhabitants of Morgan county, praying the establishment a turnpike road from David Day's, in Morgan county, to Weeden's old place, in Blount county, reported a bill to be entitled an act to establish a public road from the house of David Day, in Morgan county, to Weeden's old place, in Blount county; which was read and ordered to a second reading.

Mr Hudson of F. from the select committee to whom was referred the petition of James Elliot and John S. Rhea, of Franklin county, reported a bill to be entitled an act for the relief of James Elliot and John S. Rhea, of Franklin county; which was read and ordered to a second reading.

Mr Houston of L. from the select committee to whom was referred the petition of sundry citizens of the county of Lauderdale, praying an incorporation of the town of Waterloo in said county, reported a bill to be entitled an act to incorporate the town of Waterloo, in the county of Lauderdale; which was read and ordered to a second reading.

Mr Rugely introduced a bill to be entitled an act to incorporate the town of Lowndesborough, in Lowndes county; which was read ordered to a second reading.

On motion of mr Hudson of F. Resolved, That the committee on county boundaries be instructed to inquire into the expediency of attaching that part of the State of Alabama now occupied by the Chickasaw Indians to the counties of Franklin and Marion, with leave to report by bill or otherwise.

On motion of mr Sanders: Resolved, That the committee on propositions and grievances be instructed to inquire into the expediency of compelling the owners of plantations with more than ten slaves thereon, to have them under the charge of some responsible white person: Provided, The owner of said plantation and slaves reside at a greater distance than five miles from said plantation, with leave to report by bill or otherwise.

Mr Moffett called up the bill to incorporate the Daletown and Greensborough Railroad Company. It was placed amongst the orders of the day.

On motion of mr Breedin: Resolved, That the judiciary committee be instructed to inquire into the expediency of so altering the forms now required by law for the acknowledgment of deeds and relinquishment of dower as in substance to require the officer taking the same to be satisfied either from his own knowledge on from the testimony of some respectable person of the identity of the party acknowledging or relinquishing, and that they report by bill or otherwise.

On motion of mr Scott: Resolved, That a select committee be instructed to inquire into the expediency of so amending the Constitution of the State of Alabama as to extend the jurisdiction of justices of the peace over all sums not exceeding one hundred dollars upon plain noted of hand; whereupon, messrs Scott, Graham, Hudson of J. Hubbard and Hollis were appointed said committee.

The House then adjourned to 3 o'clock this evening.

Evening Session, 3 o'clock.

A message from the Senate by mr Connor: mr Speaker —— The Senate have passed bills of the following titles, to wit: An act to establish a State road from the town of Tuscaloosa to the Mississippi State line by way of the towns of Carrollton and Pickensville, in Pickens county; and an act to provide for the clearing out and opening the Black Warrior river above the town of Tuscaloosa, in which they ask the concurrence of your honorable body.

Mr Speaker laid before the House a communication from the President of the Bank of the State of Alabama, which is as follows:

BANK OF THE STATE OF ALABAMA, Tuscaloosa, Nov. 23d, 1832.

To the Hon. Speaker of the House of Representatives:

Sir-In obedience to a resolution adopted by the House of Representatives, requesting the President and Directors of this Bank, to "report to the House such information as they may be in possession of in regard to the condition and management of the Branch Bank at Montgomery," I have the honor to communicate the accompanying documents marked A and B; document A is an exhibit as furnished this Bank by the Cashier of the Branch, showing the result of its operations up to the 1st inst.; and document B is the report of a committee appointed by the Boards of Directors of this Bank, and instructed to examine th conditions of the Branch Bank.

All of which is respectfully submitted.

By order of the Board,

JNO. L. TINDALL, President.

[A.] BRANCH OF THE BANK OF THE STATE OF ALABAMA AT MONTGOMERY

Montgomery, November 6th, 1832.

President and Directors of the Bank of the State of Alabama:

Gentlemen–In compliance with the provisions of the 7th section of the Charter of incorporation of the "branch of the Bank of the State of Alabama at Montgomery," I have the honor to submit the following exhibit of the operations of said institution, made under the direction of the President and Directors for three months ending 1st November, 1832.

| | | |
|---|---|---|
| Capital Stock..... | | $300,000 00 |
| Notes in circulation..... | | 64, 900 00 |
| Due individual depositors..... | | 10, 675 63 |
| Due Bank of the State of Alabama..... | | 5 00 |
| Discount received..... | $ 7,471 50 | |
| Premium received..... | 1, 870 42 | |
| _____..... | 9, 341 92 | |
| | | $ 384, 922 55 |

| | |
|---|---|
| Debts due the Bank on Notes discounted..... | $ 210, 736 00 |
| " due on Bill of Exchange..... | 110, 101 38 |
| " due from other Banks..... | 6, 331 92 |
| Banking House and lot, part paid for..... | $ 3,002 |

Paid for Iron Safes and Iron Door for Vault.....339 00
--------- .....3,341 00
Cash-Specie in Vault..... 41,811 34
“Notes of other banks, principally U.S. 1, 723 00
----------..43, 534 34
Paid interest on capital stock to 1st Nov.....4, 416 66
Profit & loss, principally expenses on specie...1, 242 92
Current expense account of the Bank.....1,718 83
----------....7,377 91

Paid agent in New York to pay for books and stationary, and for engraving bills for the Bank, &c. which account has not yet been settled.....3,500 00

——— $384, 922 55

H. W. CATER, Cashier

[B.] "The undersigned having been appointed by the Board of Directors of Bank of the State of Alabama, to examine the condition of the Branch Bank Montgomery, beg leave to report: that they performed that duty on the 27th and 2nd Oct. ult. and take great pleasure in saying that the operations of the institution has been conducted with great prudence and safety; that the present available resources of the Bank are ample, compared with its liabilities and its operations up to the present time, give reasonable assurance of future usefulness. Respectfully submitted.

JNO. L. TINDALL
F'KED'K C. ELLIS.

Ordered, That the said communication lie on the table, and one hundred copies be printed for the use of this House.

Ordered, that messrs Massey and Lusk be added to the committee inland navigation.

Ordered, that mr Simmons be added to the committee on roads, bridges and ferries.

Ordered, that mr M'Rea be added to the committee on propositions and grievances.

Mr Goodrich asked leave to be discharged from the select committee appointed on the petitions presented on the subject of admitting persons practice medicine on the Thompsonian system: which was granted.

Mr Speaker laid before the House the record and proceedings of the circuit court of Lawrence county, exercising jurisdiction in chancery in the case of John Garrison against Susan Garrison, for divorce; which was read and referred to the committee on divorce and alimony.

Mr Ormond called up the report made this day by the judiciary committee on the subject of the public lands. The resolution was referred to select committee: whereupon messrs Norwood, Hudson of J. Scott, Mason and Tarrant were appointed said committee.

On motion of mr Ormond: Resolved, That the Senate be invited in the Hall of this House for the purpose of electing a State Printer. Ordered, that the clerk acquaint the Senate therewith.

The Senate having repaired to the Hall of the House of Representatives and taken their seats, the two Houses proceeded to the election of a State Printer. Wiley, McGuire & Henry, Erasmus Walker and Hampton Robinson being in nomination.

Those who voted for Wiley, McGuire & Henry are, messrs President Anderson Coopwood Hill Phillips–of the Senate; Breeding Carithers Cook Devereux Drish Hall Herbert Hill Houston of M. Hubbard Hudson of F. Morrisette Musgrove Paul Perkins Rather Saunders Richardson.

Those who voted for mr Walker are, messrs Ash Barclay Bridges Chapman Dupuy Edmondson Erwin of G. Hogan M'Vay Pickett Smith Vining — of the Senate : Mr Speaker Camp Carmack Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Houston of L. Hudson of J. Johnson King Lockhart Lusk M'Afee M 'Ria Massey Mason Moffett Norwood Ormond Scott Stewart Sumners Tarrant Walker Weissinger Williams Witherspoon Young.

Those who voted for messrs Hampton & Robinson are, messrs Abercrombie Hemphill Morton–of the Senate: Brodnax Earle Hollis Keener Lea Miree Oliver Porter Reaves Boss Rugely Simmons Trotter Ward Ware Wilson.

Erasmus Walker having received a majority of the votes, mr Speaker therefore declared him duly elected Public Printer for the term of twelve months from and after the 18th day of January next.

The House then adjourned until to-morrow morning, 10'clock.

Saturday, November 24, 1832.

Mr Wilson presented the memorial of Nancy G. Marr, widow of Wil-

liam M. Marr, deceased, praying remuneration for improvements made on public lands; which was read and referred to a select committee; whereupon messrs Wilson, Perkins, M'Afee, Creagh and Fortson were appointed.

Mr Graham presented the petition of the inhabitants of the 16th section, township No. 3, Range one, west of Huntsville, praying the passage of a law to authorize the sale of said section; which was read and referred to the committee on education.

Mr Lockhart presented the account of Thomas Adams, sheriff of Marengo county; which was read and referred to the committee on accounts.

Mr Chamberlain presented the petition of the citizens of Mobile, praying the passage of a law to increase the capital stock of the Bank of Mobile, and to extend the charter and to amend the charter of said bank ; which was read and referred to the committee on the State Bank.

Accounts were presented by messrs M'Afee and Musgrove of the sheriffs of St. Clair and Blount counties; they were severally read and referred to the committee on accounts.

Mr Cook from the select committee to whom was referred the bill entitled an act to legitimate and confirm the name of a certain person therein named, reported an amendment by adding thereto an additional section No. 2; which was adopted. The bill was ordered to be engrossed for a third reading.

A message from the Senate by mr Connor; mr Speaker –The Senate have passed a bill of the following titled, to wit: A bill to be entitled an act to amend an act entitled an act to provide for digesting the laws of the State of Alabama, in which they ask the concurrence of you honorable body.

The House then resolved itself into a committee of the whole House, on the Governor's message, mr Williams in the Chair, and after some time spent in consideration of the same, mr Speaker resumed the chair and mr Chairman reported that the committee had under consideration the Governor's message, and reported the following resolutions, which were severally concurred in and adopted by the House :

Resolved, That so much of the Governor's message as relates to the tariff and the protective policy of the United States and to the doctrine of nullification, be referred to a select committee ; whereupon mesrrs Ormond, Moffett, Hudson of J. Mason, Weissinger, Paul and Creagh were appointed said committee.

Resolved, That so much of the Governor's message as related to the revision of the criminal law be referred to the judiciary committee.

Resolved, That so much of the Governor's message as related to the establishing a bank on the principles of the Union Bank of the State of Louisiana, be referred to the select committee to whom was referred the bill to be entitled an act to incorporate the subscribers to the Union Bank of the State of Alabama.

Resolved, That so much of the Governor's message as relates to the University, be referred to the committee on education.

Resolved, That so much of the Governor's message as relates to the improvement of the navigation of the Coosa river be referred to the committee on inland navigation.

Resolved, That so much of the Governor's message as related to the arms and equipments which are entitled to receive from the general government and to organizing the militia as to effect that purpose, be referred to the military committee.

The committee of the whole were then discharged from the further con-

sideration of said message.

Mr Norwood from the select committee to whom was referred the bill entitled an act to repeal the several laws now in force regulating the practice and licensing of physicians in this State, reported the same without amendment. mr Ormond moved that the bill lie on the table.

The House then adjourned until Monday morning.

Monday, November 26, 1832

Mr Breedin presented the petition of Catharine Louis, of the city of Mobile, praying to emancipate a certain slave therein named; which was read and referred to the committee on emancipation.

Mr Norwood presented the petition of sundry inhabitants of Jackson county, praying that Paint Rock river be continued navigable; which was read and referred to the committee on inland navigation.

Mr Cook presented the petition of sundry citizens of the village of Irwinton, in Pike county, praying that the United States' troops may not removed them from their homes; which was read and referred to the committee on Indians and Indian affairs.

Mr Morrisette presented the accounts of the sheriff and jailor of Monroe county; which was read and referred to the committee on accounts.

Mr Earle asked leave to be discharged from the committee on emancipation; which was granted.

Mr Speaker laid before the House the record and proceedings of the circuit court of Greene county, exercising jurisdiction in chancery in the case of Ebenezer Whiting against Lucy M. Whiting, for divorce; which was read and referred to the committee on divorce and alimony.

Mr Davis presented the petition of sundry citizens of Bibb county; praying the passage of a law to amend the act entitled an act to incorporate the town of Centreville, in Bibb county; which was read and referred to a select committee consisting of messrs Davis, Sumners, and Hill.

Mr Miree presented the petition of sundry inhabitants of Perry county, praying to discontinue and establish certain election precincts therein named; which was read and referred to the committee on privileges and elections.

mr Chamberlain presented the petition of sundry inhabitants of Mobile county, praying an alteration in the road laws; which was read and referred to a select committee consisting of messrs Chamberlain, Breedin and Morrisette.

mr Creagh presented the petition of sundry citizens of Clarke county, praying the appointment of commissioners to review a road from James Pickens' mill, in Marengo county, to county line of Clarke county which was read and referred to the committee on roads, bridges and ferries.

mr Creagh presented the petition of sundry citizens of Clarke, praying to establish a bank in the city of Mobile; which was read and referred to the committee raised on petitions heretofore presented on that subject.

mr Rugely presented the petition of sundry citizens of Lowndes county, on the same subject; which was read and referred to the same committee.

Mr Hudson of J. presented the petition of sundry inhabitants of Jackson county, praying that an election precinct be established at George Brown's, on Mud Creek; which was read and referred to the committee on privileges and elections.

mr Hubbard from the committee on lands appropriated for internal improvement to whom was referred the bill regulating the time of making payments on lands sold at the land office in Courtland, reported a substitute in lieu thereof. mr Hubbard moved that the further consideration of the bill and amendment be postponed until Wednesday next; and made the

special order of the day; which was carried.

mr Herbert from the committee on education to whom was referred the bill entitled an act authorizing a lottery for the benefit of Bellefont academy and for other purposes, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

mr Creagh from the committee on ways and means to whom was referred the bill to be entitled an act to levy a tax upon the cattle of non-residents, reported the following amendment; after the word “Dale,” in the first section, insert the words “Covington, Conecuh and Pike’; which was adopted. The bill was ordered to be engrossed for a third reading.

mr Creagh made the following report: the committee on ways and means to whom was referred a resolution instructing them to inquire into the expediency of passing a law authorizing the several counties of this State the right of disposing of all the moneys arising from tavern and retail licenses, have had the same under consideration, and have instructed me to report; that although they are satisfied that crimes and paupers increase in proportion to the increase of tipling shops, and that on a little reflection it might be thought advisable to apply the sums thus collected within the limits of the county to relieve the community from the evils thus engendered, yet the committee are of opinion that should even this have been the reason which prompted the introduction of the resolution, there is another and better way to remedy that evil; they therefore think it inexpedient to pass such a law as the resolution contemplates; in which report the House concurred.

mr Broadnax from the committee on roads, bridges and ferries to whom was referred the petition of sundry inhabitants of Dale county, reported that the prayer of the petitioners is unreasonable and ought not to be granted; in which report the House concurred.

The same committee to whom was referred the resolution instructing them to inquire into the expediency of applying the interest of the three per cent. fund to the improvement of roads, bridges and causeways in the different counties in the State, reported it inexpedient to legislate on the subject. mr Hudson of F. moved that the report lie on the table; which was carried.

mr Herbert from the committee on education to whom was referred the resolution instructing the to inquire into the expediency of admitting such number of students into the University of this State from each county as may be most practicable or expedient, taking into consideration population, who shall be educated free from expenses both in regard to tuition and board, for such length of time as may be thought most expedient, reported that it is inexpedient to make further disposition of the proceeds of the Unisity fund at this time, and ask leave to be discharged from the further consideration of the same which was granted.

mr Musgrove from the select committee to whom was referred a resolution instructing them to inquire into the propriety of drafting a suitable memorial to the Congress of the United State asking a grant of one section of any unappropriated lands for each township wherein the sixteenth sections have proved valueless, reported a joint a memorial to the Congress of the United States of America; which was read and ordered to lie on the table. Ordered, that one hundred copies be printed for the use of this House.

Mr McAfee from the select committee to whom was referred the petition of sundry citizens of St Clair county, reported a bill to be entitled an act to authorize the judge of the county court and commissioners of roads and revenue of the county of St. Clair, to alter a certain road therein named; which was read and ordered to a second reading.

Mr Perkins presented the account OF Wiley, M'Guire & Henry which was read and referred to the committee on accounts.

The House resumed the consideration of mr Ormond's motion to lay the bill entitled an act to repeal the several laws now in force regulating the practice and licensing of physicians in this State, on the table; which was carried.

Bills from the Senate of the following titles , to wit: An act to provide for the opening and clearing out of the Black Warrior river above the town of Tuscaloosa; and an act to establish a State road from the town of Tuscaloosa to the Mississippi State line, by way of the towns of Carrollton and Pickensville in Pickens county, were severally read and ordered to a second reading.

The bill from the Senate entitled an act to amend an act to provide for digesting the laws of the State of Alabama, was read the first time and the constitutional rule being dispensed with, it was read a second time forthwith. mr Ormond moved to amend it by inserting the word 'act' after the word 'recited'; which was adopted and the rule being further dispensed with, it was read the third time forthwith, and passed. Ordered, that the clerk acquaint the Senate therewith.

Mr Speaker laid before the House a communication shewing the disbursements of the contingent fund; which was read and laid on the table. Ordered, that five hundred copies be printed for the use of this House.

Mr Trotter introduced a bill to be entitled an act to repeal the law imposing a tax on cattle; which was read and ordered to a second reading.

On motion of mr Hubbard: Resolved, That the committee on education be instructed to prepare a bill providing for the establishment of common schools throughout the State in suitable districts, having regard to the white population, which schools to be sustained out of the nett gain made by the Bank of the State of Alabama and several branches; in which provision shall be first made for the inhabitants of such neighborhoods as have no support from sixteenth section funds.

Mr Ormond introduced a bill to be entitled an act for the relief of Eliza N. Baker; which was read a first time and the constitutional rule requiring bills to be read on three several days being dispensed with, it was read a second time forthwith and referred to the judiciary committee.

Mr Hall introduced a joint resolution requesting the Congress of the United States to take into consideration the subject of Continuing the original plan of building a fort at Dauphin Island, which was read the first time, and the constitutional rule being dispensed with, it was read a second time forthwith, and referred to a select committee consisting of messrs. Hall, Breedin and Cook.

Mr Lee introduced a bill to be entitled an act to repeal in part the several acts now in force in relation to the practice of medicine; which was read the first time, and the constitutional rule requiring bills to be read on three several days being dispensed with, it was then read the second time forthwith and referred to a select committee consisting of messrs Lee, Goodrich, Herbert, Earle and Miree.

Mr Lusk introduced a bill to be entitled an act to facilitate the emacipation of slaves, and provide for the colonization of free persons of color; which was read and ordered to a second reading.

Mr Johnson introduced a bill to locate the judge of the county court of Blount county; which was read and ordered to a second a reading.

On motion of Mr Breedin: Resolved, That a select committee be appointed, whose duty it shall be to inquire into the propriety an expediency of

relinquishing that part of the duties on sale at auction within the city of Mobile, to which the State is entitled, to the corporate authorities of said city, in behalf and for the relief of such of the poor and distressed citizens of the State as may hereafter be afflicted with disease in that place, and particularly with that awful distemper which is now pervading the land, and that they have leave to report by bill or otherwise.

Mr Hall introduced a bill to be entitled an act to alter and define the boundaries of the county of Baldwin; which was read and ordered to a second reading.

On motion of mr Paul : Resolved, That the judiciary committee be instructed to inquire into the expediency of prohibiting public lecturing on the subject of the colonization of free blacks, or on the subject of negro slavery generally.

Mr Flournoy introduced a bill to be entitled an act to authorise Aurelius N. Jones, as guardian of John A.R. Jones, to remove the property of his said ward to Lowndes county; and State of Mississippi; which was read and ordered to a second reading.

Mr Devereux introduced a bill to be entitled an act to allow the tax collector of Covington county, twenty-five per centum on the amount of taxes he collects for the county; which was read and ordered to a second reading.

Mr Norwood introduced a bill to be entitled an act to repeal an act entitled an act to authorise Joseph G. Garrett and James W. Hill, of Madison county, to build a mill on the river Paint Rock, in said county; which was read and ordered to a second reading.

Mr Chapman introduced a bill to be entitled an act to provide for the appointment of commissioners without this State to take testimony, & C.; which was read and ordered to a second reading.

Mr McAfee introduced a bill to be entitled an act for the relief of the sheriff of the county of St. Clair in certain cases; which was read and and ordered to a second reading.

On motion of mr Musgrove : Resolved, That the military committee be instructed to inquire into the propriety of making it the duty of all officers commanding any military corps of the militia of this State to cause the same to parade in company musters at least four times in each and every year : with leave to report by bill or otherwise.

Mr Houston of M. introduced a bill to be entitled an act to establish a bridge at the Fishdam ford, on Flint river, in Morgan county ; which was read and ordered to a second reading.

Mr Porter introduced a bill to be entitled an act to authorise George W. Cook to emancipate a certain slave; which was read and ordered to a second reading.

On motion of mr Cook; Resolved, That the judiciary committee be instructed to inquire into the expediency of providing some speedy mode of striving contested elections for sheriff, clerk, tax assessors, and other county officers.

On motion of mr Moffett: Resolved, That the judiciary committee be instructed to inquire into the expediency of passing a law authorising sheriffs to take recognizance in any case in which a capias may issue to them from any circuit court in this State, as fully and absolutely as justices of the peace under the same circumstances.

Mr Lockhart introduced a bill to be entitled an act to incorporate the Chickasawbogue creek navigation company; which was read and ordered to a second reading.

Mr Moffett ordered the following resolution: Resolved, That the door-

keeper of this House be instructed to procure as many additional chairs for

the use of the members as may be necessary, also, that he procure a sufficient quantity of green baize to line the hand railing of the gallery of the Hall, which he shall cause to be applied to that purpose.

Mr Hudson of F. moved to strike out that part of the resolution which related to the green baize, which was lost: the resolution was then adopted.

On motion of mr Earle: Resolved, That the committee on education be instructed to inquire into the expediency of appropriation the nett proceeds of the funds which have been on may be hereafter paid from the sales of the sixteenth sections in Jefferson and Blount counties, to the establishment and support of primary schools in the same manner as the six per cent. arising from said funds is now applied; with leave to report by bill or otherwise.

On motion of mr Brickell: Resolved, That the judiciary committee be instructed to inquire into the expedient of so amending the patrol laws of this State as to render them more effective and more equal in their operations, by providing for the appointment of a suitable number of patrols in each captain's company, by the justices of the peace of said company, and making provision for exempting said patrols from military duty, working on roads, and serving on juries during their term of service as patrols, or compensating them in some other manner for their services.

Ordered, that mr Ware be added to the committee on county boundaries.

Mr Rather introduced a bill to be entitled an act to discontinue and establish certain election precincts therein specified; which was read at first time, and the rule requiring bills to be read on three several days being dispensed with, it was read a second time forthwith, and referred to the committee on privileges and elections.

Mr Devereux introduced a bill to be entitled an act to exempt fifty head of cattle from taxation, and for other purposes; which was read and ordered to a second reading.

Mr Porter introduced a bill to be entitled an act to authorize the removal of the obstructions on Tate's shoal, on the Alabama river; which was read a first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the committee on inland navigation.

On motion of mr Williams: Resolved, That the committee on the State Bank be instructed to inquire if any and what additional compensation ought to be allowed to the President of the Bank of the State of Alabama; with leave to report by bill or otherwise.

The House then proceeded to the orders of the day.

The question was put on mr Chamberlain's motion to rescind rule No. forty-five, and lost: yeas 9–nays 53.

The yeas and nays being desired, those who vote in the affirmative are: Messrs Speaker, Breedin, Chamberlain, Flournoy, Hall, King, Rather, Saunders and Walker.

Those who voted in the negative are: Messrs Brickell, Carmack, Carithers, Cook Davis, Devereux, Drish, Earle, Fielding, Fortson, Goodrich, Graham, Herbert, Hill, Hollis, Houston of L. Houston of M. Hubbard, Hudson of F. Hudson of J. Johnson, Keener, Lee, Lockhart, Lusk, M'Afee, Massey, Miree, Moffett, Morrisette, Musgrove, Oliver, Ormond, Paul, Perkins, Porter, Reaves, Rhodes, Richardson, Ross, Rugeley, Scott, Simmons, Stewart, Sumners, Tarrant, Ward, Ware, Weissinger, Williams, Wilson, Witherspoon and Young.

The engrossed bill entitled an act for the relief of William Taylor, was read the the third time, and the question being put, Shall this bill pass? It was determined in the affirmative; yeas 38–nays 26.

The yeas and nays being desired, those who voted in the affirmative are Messrs Speaker, Breedin Broadnax Camp Carithers Chamberlain Cook Creagh Drish Earle

Fleming, Flournoy Graham Hill Herbert Hollis Houston of m. Hudson of J. Keener King McAfee Miree Morrisette Musgrove Oliver Paul Perkins Porter Rhodes Richardson Ross Rugeley Saunders Scott Simmons Williams and Wilson.

Those who voted in the negative are, Messrs Brickell Carmack Davis Fortson Goodrich Hill Houston of L. Hubbard Hudson of F. Johnson Lockhart Lusk Mossey Moffett Ormond Rather Reaves Stewart Sumners Tarrant Walker Ward Ware Weissinger Witherspoon and Young.

Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for concurrence.

The engrossed bill entitled an act providing for the payment of petit jurors in the county of Jackson, was, on motion of mr Norwood, ordered to lie on the table.

Engrossed bills for the following titles, to wit: An act authorising a lottery for the improvement of a road therein named: an act to alter the time of holding the courts of commissioners of revenue and roads of Washington county; an act authorising a lottery for the benefit of Lowndes Lodge No. 33. of Ancient Freemasons; an act requiring the clerks of the county courts of the several counties of this State. to make indexes and reverse indexes and providing fees for notaries in certain cases and an act to legitimate and confirm the name of certain persons therein named, were severrally read the third time and passed. Ordered, that their titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Bills of the following titles, to wit: an act to emancipate certain slaves therein named, and an act to enable Amos Robinson to emancipate a slave therein name, were severally read and referred to the committee on emancipation.

Bills of the following titles, to wit: An act to view, lay out and mark a road therein named; an act to authorize David Meredith to turnpike a certain road therein named; an act to more particularly defining the powers of the commissioners of roads and revenue in certain cases therein specified, were severally read a second time and referred to the committee on roads, bridges, and ferries.

The bill entitled an act for the relief of memorable W. Creagh, was read a second time.

Mr Breedin moved to amend the bill by inserting after the word ‘Creagh,’ the words “and Chester Root,’ which was adopted; the bill was then ordered to be engrossed for a third reading.

Bills of the following titles, to wit: An act supplemental to an act entitled an act supplemental to an act to establish a turnpike road therein mentioned, approved January 7,1830 ; an act to repeal the act passes December 20, 1828, entitled an act regulating the compensating of jurors in Pickens county; and also the act passed January 13, 1832, entitled an act to provide for the payment of jurors in the county of Pickens; an act further to repeal an act entitled an act to incorporate the town of Carrollton in the county of Pickens and Fayetteville, in the county of Fayette, and for other purposes, passed January 15, 1831; an act to authorize the judge of the county court and commissioners of roads and revenue of the county of Limestone, to lay a tax for the building of a new court-house in the town of Athens, for said county; an act for the relief of John B. Martindale; an an act to establish a certain road therein named; an act to incorporate the town of Waterloo in the county of Lauderdale; and an act to incorporate the town of Lowndesborough, in Lowndes county, were severally read the second time and ordered to be engrossed for a third reading.

The bill entitled an act to raise a revenue for the support of government

until otherwise altered by law, passed January 20, 1832, was read a second time and referred to the committee on ways and means.

The bill entitled an act to regulate the practice of medicine according to the Thompsonian or botanic system, was read the second time and referred to the committee to which was referred other bills on the same subject.

The bill to be entitled an act to reduce the fees of the clerks of the county courts, and justices of the peace in certain cases, was laid on the table.

Bills of the following titles, to wit: An act for the relief of witnesses and jurors; an act to amend the laws in relation to sales of property under execution; were severally read a second time and referred to the judiciary committee.

The bill entitles an act to amend and repeal an act entitled an act to prevent the introduction of slaves into Alabama, and for other purposes, approved January 16, 1832, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, the bill was considered as engrossed and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be seat to the Senate for their concurrence.

The bill entitled an act authorizing James B. Slade and John F. Everett, administrators of ——— Slade to sell real estate being under consideration; Mr Wilson moved that it be indefinitely postponed; which was carried.

The bill entitled an act for the relief of James Elliot and John S. Rhea, of Franklin county, was read the second time and referred to the committee on education.

The bill entitled an act to incorporate the Daletown and Greensborough rail road company, was read the second time and referred to the representation from the counties of Greene, Perry, Wilcox, Marengo, and Dallas, to consider and report thereon.

Mr Lee introduced a bill to be entitled an act to regulate the charges of commissioner merchants, agents and factors in the city of Mobile, in this State, which was read and ordered to a second reading.

Mr Goodrich introduced a joint resolution requiring the Secretary of State to make indexes to the journals of each House of the General Assembly ; which was read and ordered to a second reading.

Ordered, that mr Morrissette be addend to the committee on education.

The House then adjourned until to-morrow morning, ten o'clock.

Tuesday, November, 27–A message from the Senate by mr Connor: mr Speaker–The Senate have passed a bill from the House of Representatives entitled an act to authorize Benjamin Dunn, and his associates, to erect a toll bridge across Mulberry Creek. They have also passed bills of the following titles, viz: An act to establish a State road from the town of Tuscaloosa to the town of Montgomery; an act to repeal in portion an act entitled an act to prevent the introduction of slaves into the State of Alabama, and for other purposes; an act for the benefit of Mary A. Watson, and others, heirs of William C. Watson, decreased, late of Henry county; and act to reduce the damages on bills of exchange purchased by the Bank of the State of Alabama, or either of its branches; in which they ask the concurrence of your Honorable body.

Bills from the Senate of the following titles, to wit: An act to establish a State road from the town of Tuscaloosa to the town of Montgomery; and an act to reduce the damages on bills of exchange, purchased by the Bank of the State of Alabama, or either of its branches; were severally read and ordered to a second reading.

The bill from the Senate entitled an act to repeal in part an act entitled an act to prevent the introduction of slaves into the State of Alabama, and

for other purposes, was read the first time; and the rule requiring bills to be read on three several days being dispensed with, it was then read a second time forthwith, and referred to the judiciary committee.

The bill from the Senate entitled an act for the benefit of Mary A. Watson, and others, heirs of William C. Watson, deceased, late of the county of Henry, was read a first time; and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to a select committee, consisting of messrs Cook, Devereux, Keener, Coker and Ward.

A message was received from the Governor by James I. Thornton; which is as follows:

EXECUTIVE DEPARTMENT, Tuscaloosa, November 27th, 1832.

I have the honor to inform the General Assembly, that the Hon. P.T. Harris has resigned his office as Trustee of the University, which is now vacant.

(SIGNED) JOHN GAYLE.

Ordered, that said message lie on the table.

Mr Weissinger presented the petition of John Barron, administrator of William Barron, deceased, late of Perry county, praying that said administrator make titles to certain real estate; which was read and referred to the judiciary committee.

Mr Goodrich presented the petition of sundry inhabitants of Jackson county, praying to discontinue and establish certain election precincts therein named; which was read and referred to the committee on privileges and elections to consider and report thereon.

Mr Keener presented the petition of sundry inhabitants of Pile county, praying that said county be divided; which was read and referred to the committee on county boundaries.

Mr Oliver presented the account of Henry A. Hubbell, late jailor of Montgomery county;

Mr Tarrant made the following account of Robert McHenry, of Shelby county; they were severally read and referred to the committee on accounts.

Mr Ormond made the following report; The judiciary committee to whom was referred the bill to be entitled an act to repeal an act therein named, have had the same under consideration, and have instructed me to report, that although the committee would have not been in favour of the law which is now proposed to be repealed, yet they think the proposed alteration injudicious; a restless and desire of change seems to be our principal characteristic. A bold experiment is made, and before a fair opportunity is given to ascertain its merits; and when the people are beginning to accommodate themselves to the new state of things, the law is again repealed. Your committee, therefor, think it fair to presume, that the Legislature which passed the law here sought to be repealed, must have believed a change necessary, or at least desirable; that good policy dictates that the law should remain in the statute books long enough to make a fair experiment of its value; when; if it is found to be injurious, as it is one of the laws which operate directly on the community, the people will speak a language in relation to it not to be misunderstood. For these and many other reasons they think the proposed law inexpedient: the bill was rejected.

Mr Ormond, from the judiciary committee to whom was referred an act for the relief of the tax collector of Walker county, reported the same with an amendment, by adding a proviso; which was adopted; the bill was ordered to be engrossed for a third reading.

A message was received from the Senate by mr Connor: mr Speaker–

The senate concur in the amendment made by the House of Representa-

tives to the bill entitled an act to provide for digesting the laws of the State of Alabama.

Mr Ormond, from the judiciary committee to whom was referred the bill entitled an act to amend an act entitled an act to extend the power of the county and orphans' county, reported a substitute in lieu thereof, which was adopted, it was ordered to be engrossed for a third reading.

Mr Ormond, from the judiciary committee to whom was referred the bill entitled an act to authorize one justice of the peace and one freeholder, to receive the due acknowledgment and probate of deeds and relinquishment of dower, reported the following amendment ; Strike out the words "and one respectful freeholder," which was adopted; the bill was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill entitled an act to amend the several acts in relation to garnishees, reported the same without amendment, by adding thereto two additional sections, which was adopted by the House; it was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill entitled an act to enable Robert H. Watkins to erect a dam on the Tennessee river, reported the following amendment; "now or at any time hereafter" at the end of the bill, which was adopted; the bill was ordered to be engrossed for a third reading.

Mr Cook, from the committee on propositions and grievances to which was referred a resolution instructing them to inquire what allowances should be made the securities of the collector of Shelby county in the year 1829, for insolvencies and improper assessments, reported a bill to be entitled an act for the relief of the securities of Abraham Nabors, tax collector in Shelby county in 1829, which was read and ordered to a second reading.

Mr Cook made the following report; The committee on propositions and grievances, to which was referred the petition of sundry persons praying the General Assembly to pass an act releasing David Alfred from his obligation as the security of Edward Bell, in a contract between the said Bell and the commissioners of the sixteenth section of township seventeen, range five, in Morgan county, respecting a lease upon said sixteenth section, have according to order had said petition under consideration, and have instructed me to report, that such a law in their opinion, would be in violation of that part of the constitution which provides that no law impairing the obligation of contracts shall be made; and therefore the prayer of the petitioners is unreasonable and ought not to be granted; in which they desire the concurrence of the House; in which report the House concurred.

Mr Cook made the following report; the committee on propositions and grievances to which was referred a resolution instructing them to inquire into the expediency of compelling the owners of plantations with more than ten slaves thereon, to have them under the charge of some responsible white person, have had them under consideration, and have instructed me to report; that they see no necessity for such a law ; and that it is inexpedient to legislate upon the subject ; in which report the House concurred.

Mr Ormond made the following report: the judiciary committee to whom was referred a resolution instructing them to inquire into the expediency of amending the usury law so that the principal sum loaned may be recovered, have had the same under consideration and have instructed me to report ; that it is not expedient to amend the usury laws in the mode contemplated by the resolution; but in their opinion that portion of the usury

law which authorizes the borrower to be a witness, does require amendment.

The same committee reported a bill to be entitled an act to repeal in part and amend an act to regulate the rate of interest passed December 17, 1819, which was read and ordered to a second reading.

Mr Brodnax from the committee on roads, bridges, and ferries to whom was referred a resolution instructing them to inquire into the expediency of passing a law to give the judges of the county in this State jurisdiction over all the State roads in their respective counties, reported that it is inexpedient to pass any law on the subject; in which report the House concurred.

Mr Moffett made the following report: the committee on accounts to whom was referred the account of Mark Meeks, sheriff of Fayette county, have had the same under consideration, and have instructed me to report: that they consider so much of the amount reasonable as provides for compensating said sheriff for furnishing provisions for the prisoners in his custody, and that the same ought to be allowed; they have also believe that he is probably entitled to the usual fee for executing convicts. The fees charged for turnkey's services they think unreasonable and ought not to be allowed; they also entertain the opinion that the sheriff is not entitled to compensation for digging the grave and making the coffin of the convict, as they consider said services as incidents of the execution. Ordered, that said report lie on the table.

Mr Lee from the select committee to whom was referred the bill entitled an act to repeal in part the several acts now in force in relation to the practice of medicine, reported the same without amendment. Mr Ormond offered the following amendment: Provided, that if the said persons practising on the Thompsonian or botanical system, shall bleed, apply a blister of Spanish flies, administer calomel, or any of the mercurial preparations, antimony, arsenic, tartar emetic, opium or laudinum, they shall be liable to the penalties of the act to regulate the licensing of physicians to practice and for other purposes therein named, approved January 22, 1823.

The hour of twelve o'clock having arrived, mr Herbert moved that the orders of the day be suspended; which was agreed to

The House resumed the consideration of mr Ormond's amendment to the bill entitled an act to repeal in part the several acts now in force in relation to the practice of medicine. mr Herbert moved that the bill lie on the table; which was lost. The question recurred on mr Ormond's amendment and carried. Yeas 39–nays 29.

The yeas and nays being desired, those who voted in the affirmative are, messrs Speaker, Breedin, Camp, Carmack, Chamberlain, Coker, Cook, Creagh, Davis, Devereux, Drish, Earle, Fleming, Fortson, Graham, Hall, Houston of L. Houston of M. Hudson of J. Keener, Lusk M'Afee, Massey, Moffett, Morrisette, Ormond, Paul, Perkins, Porter, Rather, Reaves, Rhodes, Richardson, Rugely, Trotter, Ware, Wilson and Witherspoon.

Those who voted in the negative are, Messrs Brickell, Brodnax, carithers Flournoy, Goodrich, Herbert, Hill, Hollis, Hubbard, Hudson of F. Johnson, King, Lee, Lockhart, Miree, Musgrove, Oliver, Ross, Saunders, Scott, Stewart, Sumners, Tarrant, Thompson, Walker, Ward, Weissinger, Williams, and Young.

The amendment was adopted. mr Lea moved the previous question. The question was, Shall it be sustained? and lost. The main question was then put, viz: Shall the bill be engrossed and read the third time? which passed in the affirmative. Yeas 41–nays 27.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Brickell Brodnax Camp Creagh Davis Fleming Flournoy Earle Fortson Good-

rich Graham Hill Hollis Houston of M. Hubbard Hudson of F. Johnson King Lea

Lockhart Lusk Massey Miree Musgrove Ormond Perkins Reaves Rhodes Ross Saunders Scott Stewart Sumners Tarrant Thompson Walker Ward Weissinger Williams Wilson and Young.

Those who voted in the negative are, messrs Speaker Breedin Carmack Carithers Chamberlain Coker Cook Devereux Drish Hall Herbert Houston of L. Hudson of J. Keener M'Afee Moffett Morrisette Oliver Paul Porter Rather Richardson Rugely Trotter Ware and Witherspoon.

Mr Porter introduced a joint memorial and resolutions to Congress on the subject of the tariff laws; which was read. mr Cook moved that the memorial and resolutions lie on the table, and that one hundred copies be printed.– A division of the question being called for, the vote was first taken on laying the memorial and resolutions on the table, and carried.

Mr Morrisette moved that one hundred and fifty copies be printed; which was lost. Yeas 24–nays 31.

The yeas and nay being demanded, those who voted in the affirmative are, messrs Speaker Brodnax Coker Cook Devereux Drish Fortson Herbert Hollis Hubbard Keener Lee Miree Oliver Paul Reaves Rhodes Ross Rugeley Saunders Trotter Ward Ware and Wilson.

Those who voted in the negative are, messrs Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Earle Fleming Flournoy Goodrich Graham Hall Hill Houston of L. Houston of m. Hudson of F. Hudson J. Johnson King Lockhart Lusk Massey Moffett Musgrove Ormond Rather Richardson Scott Stewart Sumners Tarrant Thompson Walker Weissinger Williams Witherspoon and Young.

The House then adjourned until to morrow morning, 10 o'clock.

Wednesday, Nov. 28, 1832–A message from the Senate by mr Morton: mr Speaker–The Senate have passed bills of the following titles, to wit: An act supplement to an act to authorize James Doran to emancipate certain slaves therein named, approved January 20th, 1832; an act to emancipate certain slaves therein named; an act to repeal in part an act passed January 12th, 1827, entitled an act to reduce into one the several act concerning roads bridges, ferries and highways; an act to simplify sciri facias in criminal cases and for other purposes; an act to incorporate the Sommerville Female Seminary, in which they ask the concurrence of your honorable body.

Bills from the Senate of the following titles, to wit: an act supplemental to an act to authorize James Doran to emancipate certain slaves therein named, approved January 20th ,1832 ; an act to emancipate certain slaves therein named ; an act to repeal in part an act passed January 12th, 1827 entitled an act to reduce into one the several acts concerning roads, bridges, ferries and highways; an act to simplify siri facias in criminal cases and for other purposes: and an act to incorporate the Sommerville Female Seminary, were read and ordered to a second reading.

Mr Massey presented the petition of Tabitha Frazier, of St. Clair county, praying compensation for taking charge of an insane person therein maned ; which was read and referred to the committee on propositions and grievances.

Mr Brodnax presented the petition of sundry citizens of Autauga county, praying that a bank be established on the principles of the Union Bank of Louisiana; which was read and referred to the select committee appointed on that subject.

Mr Speaker laid before the House the record and proceedings of the circuit court of Dallas county, exercising jurisdiction in the chancery in the cases of James P. Smith against Willey Smith, and Thomas C. Christian against Jane B. Christian, for divorce, they were severally read and referred to the

committee on divorce and alimony.

Mr M'Afee presented the accounts of the jailor of St. Clair county; they were severally read and referred to the committee on accounts.

Mr Williams presented the petition of sundry inhabitants of Fayette county, praying to be attached to Walker county; which was read and referred to the committee on county boundaries.

Mr Creagh from the committee on ways and means to whom was referred a resolution instructing them to inquire into the expediency of having the tax on land levied according to the value, thereof, an to abolish the present mode of taxing land by an arbitrary minimum value, reported that it is not expedient to pass the law contemplated by said resolution. Ordered , that said report lie on the table.

Mr Broadnax from the committee on roads and bridges and ferries to whom was referred the bill entitled an act more particularly defining the power of the commissioners of roads and revenue in certain cases therein specified, reported the same without amendment. It was ordered to be engrossed for a third reading.

Mr. Moffett made the following report: the committee on accounts to whom was referred the account of messrs Wiley, McGuire, & Henry for printing done during the extra session of the Legislature, have had the same under consideration, and have instructed me to report: That the State Printer is entitled to a fixed compensation for his annual services; that the period for which he was elected had not expired when said services were performed; that the print done during the extra session of the Legislature was of the same character with that which would necessarily have to be performed during the regular session, and consequently supercedes the necessity of its being extended again. They believe that the account is unjust and ought not to be allowed, and ask leave to be discharged from its further consideration. mr Wilson moved that the report lie on the table: which was lost. It was concurred in by the House.

Mr Ormond from the committee on inland navigation to whom was referred the bill entitled an act to incorporate for a limited time the Crow Creek Navigation Company, reported the same with sundry amendments; which were severally concurred in, and the bill ordered to be engrossed for a third reading.

Mr Witherspoon from the committee on education to whom was referred the bill entitled an act for the relief of John Kidd, reported a substitute in lieu thereof. mr Weissinger moved that the bill with the amendment be indefinitely postponed.

The hour of 12 o'clock having arrived the orders of the day were suspended.

The House resumed the consideration of mr Weissinger's motion to postpone indefinitely the bill for the relief of John Kidd ; which was carried. Yeas 42–nays 23.

The yeas and nays being desired, those who voted in the affirmative are, messrs Breedin Bricknell Camp Carmack Carithers Chamberlain Creagh Davis Devereux Drish Earle Fleming Fortson Goodrich Graham Herbert Hill Hollis Houston of L. Hudson of J. Johnson King Lockhart McAfee Massey Musgrove Paul Perkins Rather Reaves Richardson Saunders Scott Simmons Sumners Tarrant Thompson Trotter Walker Weissinger Williams and Wilson.

Those who voted in the negative are, messrs Speaker Brodnax Coker Cook Hall Houston of m. Hubbard Hudson of F. Lee Lusk Miree Moffett Morrisette Oliver Ormond Rhodes Ross Rugeley Stewart Ward Ware Witherspoon and Young.

Mr Hubbard offered the following preamble and resolution: Whereas, it has been communicated to this House that the venerable Charles Carroll of Carrollton, the last surviving signer of the Declaration of American Independence, did on the 14th instant, depart this life, leaving the American

people to lament his irreparable loss: therefore, as a tribute of respect for the eminent services of the deceased.

Be it resolved, That this House is deeply impressed with a sense of the loss sustained by the American people in the death of this distinguished and worthy patriot, and as a testimony thereof its members will, during the present session, wear the customary badges of mourning, and will now adjourn until to morrow morning, 10 o'clock ; which resolution and preamble were adopted.

And then the House adjourned.

Thursday, Nov 29, 1832–mr Ormond presented the account of Samuel Elliott, of Lawrence county ; mr Thompson presented the account of Jacinth H. Bryant, of Fayette county; they were severally read and referred to the committee on accounts.

Mr Fleming from the military committee to whom was referred the petition of the volunteer light infantry company, known by the name of Claysville Blues, reported that the same is inexpedient; in which report the House concurred.

The same committee to whom was referred the resolution to inquire into the expediency of so amending the law regulating the militia of this State so as to make it the duty of all division, brigade and regimental staff officers, and all platoon officers, to equip themselves within a certain time, reported the same inexpedient ; in which report the House concurred.

Mr Ormond from the judiciary committee to whom was referred a resolution instructing them to inquire into the expediency of prohibiting public lecturing on the subject of the colonization of free blacks and on the subject of negro slavery generally, reported a bill to be entitled an act to prohibit public lecturing on the subject of colonizing free blacks and for other purposes; which was read and ordered to a second reading.

Mr Ormond from the judiciary committee to whom was referred the bill from the Senate entitled an act to repeal the act entitled an act to prevent the introduction of slaves into the State of Alabama and for other purposes, reported the following amendment; strike out the words 'twentieth and twenty-first," and insert the word "and" before the word 'eighth'; which was adopted. The bill was ordered to a third reading.

A message from the Senate by mr Connor: mr Speaker–The Senate have adopted the following resolution: Whereas, information has reached this place of the death of the venerable Charles Carroll of Carrollton, a soldier of the revolution and one of the signers of the Declaration of Independence:

Therefore be it resolved, As a testimony of the high respect entertained by the Senate for the memory of said Charles Carroll of Carrollton, that the Senate will now adjourn until to morrow morning, Thursday, 10 o'clock A.M.

And be it further resolved, That a committee of the Senate be appointed to act with such committee as may be appointed on the part of the House of Representatives to consider of and report for the adoption of the two Houses of the General Assembly such ceremonies and observances as will best attest the exalted estimation in which they hold the life an services of Charles Carroll of Carrollton and their deep regret at his decease; and have appointed messrs Anderson, Erwin of G and Hogan a committee on the part of the Senate; in which they ask the concurrence of the House of Representatives.

In which resolution the House concurred, whereupon messrs Herbert, Oliver, Wilson, Graham and Hudson if J. were appointed said committee.

Ordered, that the clerk acquaint the Senate therewith.

A message from the Senate by Morton: mr Speaker–The Senate

have read three several times and passed a bill from the House of Representatives entitled an act to alter the time of holding the courts of commissioners of revenue and roads of the county of Washington. They have passed a bill entitled an act to establish a branch of the bank of the State of Alabama in the city of Mobile; in which they ask the concurrence of your honorable body.

The bill from the Senate entitled an act to establish a branch of the bank of the State of Alabama in the city of Mobile, was read the first time, and the constitutional rule requiring bills to be read on three several days being dispensed with, it was read a second time forthwith and referred to the committee on the State bank.

Mr Ormond from the judiciary committee to whom was referred the bill entitled an act for the relief of Eliza N. Baker, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

Mr Ormond from the judiciary committee to whom was referred the bill entitled an act for the relief of witnesses and jurors, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

Mr Ormond made the following report: the committee on inland navigation to whom was referred an act for the improvement of part of Coosa river, have had the same under consideration and have instructed me to report it to the House with an amendment: strike out of the first section the words 'of the dividends hereafter made by the bank of the State of Alabama to the credit'; also in the same section, strike out the words 'said bank,' and insert in lieu thereof 'the bank of the State of Alabama.' They have also further amended it by striking out the proposed amendments, 'and Paint Rock river in Jackson county,' 'and Cahawba river', in which they ask the concurrence of the House; in which amendment the House concurred. The bill was ordered to be engrossed for a third reading.

Mr Ormond from the committee on inland navigation to whom was referred the bill entitled an act to authorized the removal of the obstructions on Tate's Shoals on the Alabama river, reported the same without amendment. Mr Porter moved to amend the third section by adding the following at the end of said section: 'and the Cashier of the Bank of the State of Alabama is hereby authorised to pay such sum or sums from the said fund, not exceeding three thousand dollars as shall required by the order of the said commissioners'; which was adopted. The bill was ordered to be engrossed for a third reading.

Mr Ormond made the following report: the judiciary committee to whom was referred the bill to reduce the costs of the supreme court of the State of Alabama, have had the same under consideration and have instructed me to report the said bill inexpedient; that they are of opinion that the fees now allowed by law are not more than adequate to the duties which the clerk of the supreme court is called on to perform, and that it would be bad economy to reduce the salary of the clerk of the highest court in the State in which the people have so deep an interest to a mere pittance; in which they ask the concurrence of the House. The question was on ordering the bill to a third reading and lost. Yeas 27–nays 46.

The yeas and nays being desired, those who voted in the affirmative are, Messrs Carmack Carithers Davis Earle Fleming Hollis Hubbard Hudson of F. Lea Miree Musgrove Norwood Rather Reaves Ross Scott Stewart Thompson Walker Ward and Young.

Those who voted in the negative are, messrs Speaker Breedin Brickell Brodnax Camp Chamberlain Coker Creagh Devereux Drish Flournoy Fortson Goodrich

Graham Hall Herbert Houston of L. Houston of M. Hudson of J. Johnson Keener

King, Lockhart McAfee Masey Mason Moffett Morrisette Oliver Ormond Paul Perkins Porter Rhodes Richardson Rugely Saunders Simmons Sumners Tarrant Trotter Weissinger Williams Wilson and Witherspoon

Mr Moffett from the committee on accounts to whom was referred the account of Adam Taylor, sheriff of Dallas county, reported that in their opinion the greater portion of said account is properly chargeable to the county of Dallas and not to the State, and that such part of it as is chargeable to the State is expressed in a manner so indefinite as to prevent their action upon it. They recommend that the said Adam Taylor be permitted to withdraw his account in order that he may expunge therefrom such items as are properly chargeable to the county, and specify more particularly the services for which he is entitled to compensation from the State.

Mr Herbert moved that the report lie on the table; which was carried.

Mr Herbert from the committee on education to whom was referred so much of the Governor's message as related to the University, reported a bill to be entitled an act the better to secure the funds of the University; which was read and ordered to a second reading.

Mr Cook from the committee on propositions and grievances to which was referred the petition of Richard M'Donald and John M'Donald, reported that it is inexpedient to legislate on the subject and ask to be discharged from the further consideration thereof, which was granted.

Mr Moffett from the committee on accounts to whom was referred the account of John D.I. Wynn for services as a judge advocate in recording the proceedings of a court martial for the first battalion, 4th regiment, of Alabama militia, reported that the account is not chargeable to the State and ought not to be allowed, and ask leave to be discharged from the further consideration thereof ; which was granted.

Mr Creagh from the committee on ways and means to whom was referred a resolution instructing them to inquire into the expediency of applying the nett gain made by the State Bank and its branched towards the defraying the expenses of the State of Alabama so as to relieve the people entirely from the payment of taxes, reported that it is not expedient at this time to appropriate the nett gain of the State bank and its branches to the purpose contemplated by the resolution. The report was ordered to lie on the table.

Mr Porter from the committee on education to whom was referred a resolution instructing them to inquire into the expediency of appropriating the nett proceeds of the funds which have been or may hereafter be paid for the sales of the sixteenth schools, reported a bill to be entitled an act to provide for the appropriation of the nett proceeds of the funds arising from the sales of sixteenth section; which was read and ordered to a second reading.

Mr Crook from the committee on propositions and grievances to whom was referred the petition of J. L. F. Cottrell, praying authority to sell a certain tract of land devised by the will of James L. Cottrell, deceased. to said J.L.G. Cottrell, as trustee of Cynderilla Approson, reported that it is not expedient to legislate on the subject, and ask leave to be discharged from the further consideration thereof ; which was granted.

Mr Davis from the select committee to whom was referred the petition of sundry citizens of Centreville in Bill county, reported a bill to authorise an election of justice of the peace and constable in the town of Centreville in Bibb county, and to amend an act entitled an act to incorporate the town of Centreville in the county of Bibb, approved January 21, 1832 ; which was read and ordered to a second reading.

Mr Porter from the committee on education to whom was referred the petition of the voters and heads of families, living in township 3, range 1, west of Huntsville, reported that the general law now existing on the subject of sixteenth sections authorizes the sale of the sections and the deposite of the funds, and that further special legislation on that subject is unnecessary; in which report the House concurred.

Mr Porter from the committee on education to whom was referred the bill entitled an act for the relief of James Elliott and John S. Rhea, of Franklin county, reported that it is inexpedient and impolite to pass the bill and thereby establish a precedent so unlimited and dubious in its character, and respectfully ask the concurrence of the House.

The hour of twelve o'clock having arrived the orders of the day were suspended generally.

The House resumed the consideration of mr Porter's report. The question was to concur in the report, and lost. The bill was ordered to be engrossed for a third reading.

Mr Paul made the following report: the judiciary committee to whom was referred the petition of John Barron, administrator of William Barron deceased, have had the same under consideration and have instructed me to report, that it is the opinion of this committee the prayer of the said petitioner ought not to be granted ; first, because, if a court of chancery can grant the relief prayed for the General Assembly have no right to usurp the jurisdiction of a co-ordinate branch of the government. Your committee are moreover of opinion, that if ever the legislature may have jurisdiction concurrent with the court of chancery in such cases, yet that it is bad policy to encourage the bringing small cases to the Legislature, which is certainly the court most expensive to people. Your committee are further of opinion, that no act of this Legislature can in any manner alter the legal rights of the heirs of the said William Barron which must have vested by the death of the said intestate. Your committee therefore respectfully ask to be discharged from the further consideration of the subject.

Mr Weissinger moved to re-commit the petition to the judiciary committee with instructions to report a bill; which was lost. The report was laid on the table.

Mr Breedin made the following report; the select committee to whom was referred a resolution instructing them to inquire into the propriety and expediency of relinquishing that part of the duties on sales at auction within the city of Mobile to which the State is entitled, have had the same under consideration and beg to leave to report; that it is within the personal knowledge of a majority of your committee and great numbers of the citizens of this State from interior counties, are annually seized with disorders and afflicted with disease during their journeys in pursuit of business and at labor in the city of Mobile, and that many of them are suitable objects of charity and of benevolence ; that therefore those that have applied have without exception been admitted into the city hospital of the city of Mobile where the charges for their support and maintenance and for medical attendance, have formed no small items in the aggregate amount of the expenses of that corporation; that therefore a law was passed giving to the city of Mobile one half of 80 per cent. on the said duties for the support in part of the said hospital; that 20 per cent on the whole amount was also appropriated to the school fund of Mobile county, leaving 40 per cent. for the State; that the increase of the funds for said hospital has not kept pace with that of the subjects for whom in charity provision should be made. Your committee therefore recommend that the said proportion be-

longing to the State be appropriated to the said hospital.

The same committee reported a bill to be entitled an act relinquishing to the city of Mobile certain duties on sales at auction to be applied to certain purposes which was read and ordered to a second reading.

Mr Breeding made the following report: the select committee to whom was referred the bill entitled an act to incorporate the subscribers of the Union Bank of the State of Alabama, have had the same under consideration and have instructed me to report the bill amended as follows, to wit:

Sec. 2d. By striking out the words “the said loans of five millions of dollars, in the twentieth line of the 2d section, and in lieu thereof inserting the words “three millions of the said load,’ by striking out the words ‘sixty thousand shares,’ in the twenty-first and twenty-second lines of the same section, and in lieu thereof inserting the words ‘six millions of dollars’; by striking out the words “sixty thousand shares,’ in the twenty-fifth line of the same section, and in lieu thereof inserting the words ‘six millions of dollars’; and by striking out all after the word ‘subscribers,’ where it occurs in the said line of the same section.

SEC. 3. By striking out the words ‘for which each of the branches of this Bank are intended hereby to be established,’ in the ninth and tenth line of the 3d section.

SEC. 4. By striking out the words ‘capital and interest of said Bank,’ in the fourth line and 4th section, and in lieu thereof inserting the words ‘three-fifths of the capital of said bank and the interest thereon for which individuals may have subscribed.

SEC. 5. By striking out the words ‘of five millions of dollars,’ in the second line of the 5th section, by striking out the word “five” in the third line of the said section, and in lieu thereof inserting the word “three’; and by striking out the words ‘one thousand,’ in the fourth line of the same section; and also whenever they afterwards occur in said section, and in lieu thereof (in each place) inserting words ‘one fifth.’

Sec. 6. By striking out the word ‘capital,’ in the first line of the 6th section, and in lieu thereof inserting the word ‘principal.’

Sec. 8. By striking out the words ‘and slaves,’ in the sixth line of the 8th section, and the words ‘and that no mortgage on slaves alone shall be received,’ in the ninth and tenth lines of the same, and the words ‘and slaves,’ in the tenth and eleventh lines of the same; by striking out all after the word ‘value,’ in the eleventh lines of the 8th section, and before the word ‘provided,’ in the word ‘provided,’ in the fourteenth line the words ‘and oftener if they should think the circumstances of any particular case or cases should require.’

Sec. 10. By inserting the words ‘a president and,’ before the word ‘fourteen,’ in the second line of the 10th section, and by striking out the words ‘chosen from among the stockholders.’

Sec. 12. By inserting the words ‘a president and,’ between the words ‘appoint and fourteen,’ in the second line of the 12th section’ by striking out all after the word ‘qualified,’ in the fourth line and before the word ‘and’ in the seventh line, by inserting the words ‘president and’ between the words ‘the’ and ‘directors,’ also in the seventh line’ and by striking out the words ‘and the president chosen.’

Sec. 13. By striking out all that remains of the 13th section after the word ‘following’ in the 9th line, and insert the words ‘and until their successors shall be duly qualified.’

Sec. 15. By striking out ‘twenty’ in the third line of the 15th section, and in lieu thereof inserting the word ‘ten’; and by striking out all after the word ‘officer,’ in the eighth line and up to the word ‘act’ inclusive.

Sec. 16. By striking out all after the word 'dollars' in the second line of the 16th section.

Sec. 23. By inserting in the first line of the 13d section the words 'and profits,' after the word 'capital.'

Sec. 27. By striking out the word 'five' in the third line of the 27th section, and in lieu thereof inserting the word 'three.'

Sec. 28. By striking out the words 'said directors shall proceed to the election of a president ;' and in the fifth line strike out the word 'five,' and insert the word 'three' in lieu thereof.

Sec. 29. By striking out the words 'one half.' in the fourth line of the 29th section, and inserting in lieu thereof the words and 'one-fourth,' by striking out all the proviso commencing in the fourth line, and in lieu thereof, inserting the following : "Provided, that the interest be paid in advance and every renewal of a loan on stock shall be made annually.'

By striking out the 31st, 32d, 33d, 34th, 36th, 37th and 38th sections, by adding a section to be numbered 31 in the following words:

Be it further enacted, That whenever the Legislature of the State shall provide the two-fifths of the capital stock to which the State is entitled and secure the same to the bank the State shall thenceforward be entitled to its proportion of the nett gains of said bank to be paid and applied in the manner the private gains are provided to be paid and applied by the provisions of this act.

By making the 35th section, the 32d section, the 39th section–the 33 the 40th section, the 34th section, and the 41st the 35th section.

It will be seen therefore that the committee have expunged that part of the bill which provided that a certain description of personal property might become in part security for stock ; that they have stricken out the provision for branches; and that they introduced a provisions by which the State shall have and retain a control in the direction. In this shape your committee recommend the passage of the bill; first; because it will enable the great mass of the people to supply their necessary pecuniary wants in the credit of their own property and without resorting or being driven to the necessity of asking the aid of security from their friends and neighbors; and 2ndly. It will be a just and proper response to the overwhelming appeals that continue to be made to the Legislature for a banking capital adequate to the vast and increasing commerce of the country at large, and especially to that of city of Mobile. Mr Breedin moved that the further consideration of the bill be postponed until to-morrow morning half past 10 o'clock and made the special order of the day; which was carried.

Mr Ward from the select committee to whom was referred the bill from the Senate entitled an act for the benefit of Mary A. Watson, late of the county of Henry, reported the same without amendment and recommend its passage ; and the constitutional provisions being dispensed. the bill was read and third time forthwith and passed. Ordered, that the titles be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Hall from the select committee to whom was referred the joint resolution requesting the Congress of the United State to take into consideration the subject of continuing the original plan of building a fort on Dauphin island, reported a substitute in lieu thereof ; which was adopted. It was ordered to be engrossed for a third reading.

On motion of Mr Fleming: Resolved, That with the concurrence of the Senate, the two Houses will assemble in the Representative Hall of Saturday evening next at 3 o'clock P.M. for the purpose of electing a Secretary of State and judge of the county court fo Tuscaloosa county. Order-

ed, that the clerk acquaint the Senate therewith.

Mr Morrisette introduced a bill to be entitled an act to regulate the weighing of cotton in the city of Mobile and for other purposes; which was read and ordered to a second reading.

Mr Drish introduced a bill to be entitled an act providing for the completion and enclosure of the State capitol and for other purposes; which was read and ordered to a second reading.

Mr Hubbard presented the petition of Thomas Brown, of Lawrence county, praying to enter a certain tract of land therein named at the land-office at Courtland; which was read and referred to the judiciary committee.

On motion of mr Tarrant : Resolved, that the Governor be requested to lay before this House any information he may have in his possession in relation to the Marshal's removing any portion of our citizens from the territory east of Coosa river.

On motion of Mr Trotter : Resolved, That the judiciary committee be instructed to inquire into the expediency of allowing sheriffs in whose hands executions from other counties are placed, and on which no property is made to make returns to the circuit and county courts. in the same manner as by law provided for the returns in the supreme court, with leave to report by bill or otherwise.

Mr Speaker laid before the House a manuscript copy of the laws of Alabama, digested by John G. Aikin, Esq.; and also the report of the commissioners appointed to examine said digest; and the report of Mr Aikin; they were severally referred to the judiciary committee to consider and report thereon.

Mr Morrisette asked leave to be discharged from the judiciary committee, which was disagreed to.

Mr Speaker laid before the House a letter from Wiley, M'Guire & Henry, on the subject of the public printing; which was read and referred to the judiciary committee.

Mr Johnson introduced a bill to establish an academy of learning at Blountsville, Blount county, which was read and ordered to a second reading.

And then the House adjourned until to-morrow morning 10 o'clock.

Friday, November 30, 1832.–Mr. Moffett presented the petition of Daniel Greene, of Greene county, praying to be released from the oath prescribed in the law to prevent the introduction of slaves into Alabama; which was read and referred to the judiciary committee to consider and report thereon.

Mr. Norwood presented the account of the jailor of Jackson county; which was read and referred to the judiciary committee

Mr Breedin from the committee on the State Bank to whom was referred the bill from the Senate entitled an act to establish a branch of the bank of the State of Alabama in the city of Mobile, reported the same without amendment. They recommend the passage of the bill: and the constitutional rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith and passed unanimously–

Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The bill entitled an act to incorporate the subscribers to the Union Bank of Alabama being under consideration. Mr Breedin moved that the bill be indefinitely postponed; which was carried.

A message from the Senate by mr Morton: Mr Speaker–The Senate

have passed a bill which originated in the Senate entitled an act for the improvement of the Cahawba river from the town of Centreville to its junction with the Alabama river. They have also passed a bill which originated in the House of Representatives entitled an act to amend and repeal an act entitled an act to prevent the introduction of slaves into Alabama and for other purposes, approved January 16th, 1832; and have amended the same by inserting the word 'twenty,' between the words 'eight' and 'and' in the first section, in which they ask the concurrence of your honorable body.

Ordered, that the House concur in the amendment made by the Senate to said bill. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act for the improvement of the Cahawba river from the town of Centreville to its junction with the Alabama river, was read the first time, and the constitutional rule requiring bills to be read on three several days being dispensed with, it was read a second time forthwith and referred to the committee on inland navigation.

Mr Brickell introduced a joint resolution on the subject of public printing; which was read and the rule requiring bills and joint resolutions to be read on three several days being dispensed with, the resolution was read a second time forthwith. Mr Flournoy moved to amend it by striking out all after the word 'resolved' to insert the following: that the State Printer elected at the last annual session of the General Assembly of this State having refused further to do the printing of this House the same be hereafter tendered to Erasmus Walker at the usual rates of printing, so that there may be no delay in transacting the business of this House, and in promoting the public good. A division of the question being called for the vote was first taken on striking out and lost. Mr Cook moved to amend it by striking out the words "from one of its officers,' with the view to insert the words 'from the State printer'; which was carried. Mr Brickell moved that the resolution lie on the table; which was carried.

Mr Brickell offered the following resolution : Resolved, That the clerk of this House be instructed to employ some printer to execute such printing as may be ordered to be done by the House until the 18th of January 1833, when the time of service of the public printer elect shall commence. Mr Flournoy moved the following amendment ; if the State Printer elected at the annual session should refuse to do the same; which was lost– The resolution was then adopted.

A message was received from the Governor of James I. Thornton, which is as follows:

EXECUTIVE DEPARTMENT, Tuscaloosa Nov. 28, 1832.

To the Senate and House of Representatives of the State of Alabama:
I have to inform the General Assembly, that I have this day received the resignation of John C. Kilpatrick, Esq. of his situation as a member of the Board of Trustees of the University from the 7th Judicial Circuit.

(signed) JOHN GAYLE

Ordered, that the message lie on the table.

Mr Hudson of F. from the committee on county boundaries to whom was referred the petition of sundry citizens of Fayette county, reported that it is inexpedient to legislate on the subject, and ask leave to be discharged from the further consideration thereof. Ordered, that said report lie on the table.

Mr Ormond from the judiciary committee to whom was referred a resolution instructing them to inquire into the expediency of making it the duty of the clerks of the circuit courts to retain the originals of interrogatories

filed in their office, and issue copies thereof, reported that it is inexpedient

to legislate on the subject, in which they ask the concurrence of the House; in which report the House concurred.

The same committee to whom was referred a resolution instructing them to inquire into the propriety of enabling sheriffs to take recognizances in certain cases, reported a bill to be entitled an act to enable sheriffs and coroners to take recognizance in certain cases therein named; which was read and ordered to a second reading.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of reducing the tax on billiard tables; reported a bill to be entitled an act to authorize the licensing of billiard tables; which was read and ordered to a second reading.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of granting to the judges of the supreme court, power to grant injunctions in cases tried in circuit courts; reported a bill to be entitled an act to regulate judicial proceedings; which was read and ordered to a second reading.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of authorizing the judge of the county court in the absence of the commissioners of roads and revenue, to hold court on the second day of the term, reported, that it is not expedient to legislate on the subject; in which report the House concurred.

The same committee to whom was referred the bill to amend the laws in relation to sales of property under execution, reported a substitute in lieu thereof, which was adopted. The bill was ordered to be engrossed for a third reading.

Mr Oliver made the following report: The committee on enrolled bills have examined and found correctly enrolled, an act to amend an act entitled an act to provide for digesting the laws of the State of Alabama; an act to authorize Benjamin Dunn and his associates to erect a toll bridge across Mulberry creek; and an act to alter the time of holding the courts of commissioners of revenue and roads, in Washington county.

Mr Speaker laid before the House the annual report of the State Treasurer; which was read. Ordered, that said report lie on the table, and that one hundred and fifty copies be printed for the use of this House.

Mr Richardson introduced a bill to be entitled an act for the relief of Thomas G. Tyus, tax collector of Limestone county ; which was read and ordered to a second reading.

On motion of mr Flournoy: Ordered, that the committee on education inquire into the propriety of allowing a suitable compensation to the commissioners of the sixteenth sections, and providing by law for discharging all expenses attending the surveying, sub-dividing in lots and sales of said sections, previous to receiving from purchasers notes payable to the president and directors of the Bank of the State of Alabama.

Mr Rugeley introduced a bill to be entitled an act to appropriate a portion of the three per cent. fund to the county of Lowndes, which was read the first time; and the constitutional provision requiring bills to be read on three several days being dispensed with, the bill was read a second time forthwith, and referred to the committee on inland navigation.

Mr Carmack introduced a bill in relation to the duties of sheriffs and clerks; which was read and ordered to a second reading.

On motion of mr Drish: Resolved, That the committee on ways and means be instructed to inquire into the expediency of so altering and amending the revenue law, so as that merchants shall not be required to pay taxes

on the amount of their sales, but on the amount of their purchases or invoices.

On motion of mr Hill: Resolved, That the president of the Bank of the State of Alabama, be required to lay before this House an account of the transactions of Mosely Baker with said Bank, and of the losses sustained by said Bank.

Mr Herbert presented the account of Adam Taylor, sheriff of Dallas county, which was read and referred to the judiciary committee.

On motion of mr Devereux: Resolved, That the judiciary committee be instructed to inquire into the constitutionality of allowing each county in this State a separate representation.

Mr Tarrant introduced a bill to be entitled an act authorizing certain persons therein named to clear out and turnpike a road from the Wetumpka falls to Syllacogga ; which was read and ordered to a second reading.

On motion of mr Hall: Resolved, That a select committee be appointed to inquire into the expediency of granting to Ward Taylor, a charter to turnpike the stage road from the town of Blakely to the town of Montgomery, with leave to report by bill or otherwise.

Mr Goodrich introduced a bill to allow to the respective counties of this State that tax of white polls, which was read the first time; and the question being put, Shall this bill be read the second time? It was determined in the negative.

On motion of mr Paul: Resolved, That the judiciary committee be instructed to inquire into the expediency of providing for taking the depositions of judges of the circuit courts and other judicial and executive officers, when their testimony shall be required in any of the courts of this State, with leave to report, &c.

Mr Houston of L. introduced a bill to exempt certain persons therein named from the performance of military and other duties; which was read and ordered to a second reading.

Mr Musgrove called up the joint memorial to the Congress of the United States of America, which was placed amongst the orders of the day.

On motion of mr Devereux; Resolved, That the committee on privileges and elections be instructed to inquire into the expediency of abolishing the election precinct at the House of William Padgett, in the county of Covington, and establishing one at William Summerford's mill, in said county.

On motion of mr Cook: Resolved, That the judiciary committee be instructed to inquire into the expediency of authorizing the clerks of the circuit and county courts, to issue attachments returnable to their respective courts; and also to allow third persons to replevy property levied on unde- attachments where the matter in controversy exceeds fifty dollars.

On motion of mr Graham: Resolved, That the judiciary committee be instructed to inquire into the expediency of repealing the act entitled an act amendatory to the several laws concerning witnesses, approved January 3, 1832; with leave to report by bill or otherwise.

The hour of twelve o'clock, having arrived, the House proceeded to the orders of the day.

The bill entitled an act regulating the time of making payment upon lands sold at the land office in Courtland; the question was to adopt the substitute and carried. Mr Houston of L. moved to strike out the second section, which was lost. Mr Creagh moved to strike out the words "due and" which was carried. Mr Carmack moved to amend the second section with the words "one half of"; which was lost.

The question was on ordering the bill to a third reading, and carried;

yeas 42–nays 22.

The yeas and nays being desired, those who voted in the affirmative, are Messrs Brodnax Camp Carmack Coker Cook Creagh Devereux Earle Flournoy Fortson Goodrich Herbert Hollis Houston of M. Hubbard Hudson of F. Lee Lockhart Massey Miree Moffett Musgrove Norwood Oliver Ormond Perkins Porter Reaves Rhodes Ross Rugely Saunders Scott Simmons Stewart Tarrant Thompson Ward Ware Weissinger Williams and Witherspoon.

Those who voted in the negative, are Messrs Speaker Breedin Brickell Carithers Chamberlain Davis Graham Hall Hill Houston of L. Hudson of J. Johnson King Lusk Mason Paul Rather Richardson Sumners Trotter Walker and Wilson.

Engrossed bills of the following titles, to wit: An act to incorporate the town of Waterloo, in Lauderdale county ; an act to incorporate the town of Lowndesborough, in Lowndes county ; an act to repeal the act passed December 20, 1828, entitled an act regulating the compensation of jurors in Pickens county; and also the act passed January 13, 1822, entitled an act to authorize the judge of the county court and commissioners of roads and revenue of the county of Limestone, to levy a tax for the building of a new court house in the town of Athens, for said county; an act to repeal an act entitled an act to incorporate the town of Carrollton, in the county of Pickens, and Fayetteville, in the county of Layette ; an act to establish a public road from the house of David Day, in Morgan county, to Weeded's old place in Blunt county ; and an act for the relief of Memorable W. Creagh and Chester Root; were severally read the third time and passed. Ordered, that the titles be aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Herbert offered the following: Resolved, That so much of the twenty-sixth rule of this House as relates to the hour of twelve o'clock, be rescinded, and be amended by substituting eleven o'clock ; which lies over one day for consideration.

Mr Herbert offered the following : Resolved, That so much of the forty-fifth rule of this House as refers to the hour of 10 o'clock, to convene and 2 o'clock to adjourn, be rescinded, for the purpose of substituting 9 o'clock A.M., and 1 o'clock, P. M., which lies over one day for consideration.

And then the House adjourned until tomorrow morning, ten o'clock.

Saturday, December 1, 1832.–Mr Moffett presented the account of Henry C. Lee, which was read and referred to the committee on accounts.

Mr Cook presented the petition of William Thomas, praying to legitimate certain persons therein named; which was read and laid on the table.

Mr Simmons presented the petition of sundry inhabitants of Autauga county, praying that persons may be licensed to practice medicine under the Thompsonian system; which was read and ordered to lie on the table.

Mr Hudson of F. from the committee on county boundaries, to who was referred sundry resolutions and petitions on the subject of laying off the territory now in the possession of the Indians within the chartered limits of this State into counties, reported a bill to be entitled an act to establish certain counties therein named, which was read the first time, and the constitutional provision, requiring bills to be read on three several days being dispensed with, it was then read the second time forthwith, and ordered to be engrossed for a third reading.

A message was received from the Senate by mr Connor, their Secretary; mr Speaker; The Senate have passed bills of the following titles, viz: An act further to provide for the election of electors for President and Vice-President of the united States; an act to increase the capital stock of the branch Bank of the State of Alabama, at the town of Montgomery. They concur in the resolution of the House of Representatives, proposing to go

into the election of a Secretary of State, and a judge of the county court

of Tuscaloosa county, on Saturday, at three o'clock, P.M. and having amended the same by striking out the words "three P.M." and inserting "eleven A.M.," in which they ask out the concurrence of you Honorable body; in which amendment the House concurred. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to provide for the election of electors of President and Vice-President of the United States, was read and ordered to a second reading.

The bill from the Senate entitled an act to increase the capital stock of the branch Bank of the State of Alabama at the town of Montgomery, was read the first time, and the constitutional rule requiring bills to be read on three several days being dispensed with; it was read the second time forthwith, and referred to the committee on the State Bank.

Mr Fleming, from the committee on divorce and alimony, to which was referred the record and proceedings of the circuit court of Walker county, exercising jurisdiction in chancery in the case in that court, wherein Winifred K. Waldrop, sued to be divorced from her husband Preston Waldrop, reported, that said divorce ought not to be granted; in which report the House concurred.

Mr Ware made the following report: The committee on the State Bank, to whom was referred a resolution instructing them to inquire if any and what compensation ought to be allowed to the President of the Bank of the State of Alabama, have had the same under consideration, and requested me to report that the present salary allowed the president is amply sufficient for the services he is compelled to perform, and ask leave to be discharged from the further consideration of the subject; which was granted.

Mr Ormond made the following report: The judiciary committee to whom was referred the communication from messrs Wiley, M'Guire and Henry, have had the same under consideration, and have instructed me to ask to be discharged from the consideration thereof ; and to prevent the recurrence of a similar state of things, report a bill to be entitled an act regulating the time of service of State printer ; which was read and ordered to a second reading.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of repealing so much of the law of this State as requires citizens of this State to pay taxes before they are entitled to the right of suffrage, reported, that it is not expedient to legislate on the subject; in which report the house concurred.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of passing a law requiring the judges, justices; &c. of the State, in taking probate of deeds and relinquishment of dower, to be satisfied from their own knowledge or by the testimony of others, of the identity of those who make such acknowledgments, reported a bill to be entitled an act requiring officers taking the acknowledgements of deed and relinquishment of dower, to be satisfied of the identity of the party acknowledging or relinquishing ; which was read and ordered to a second reading.

Mr Chamberlain offered the following resolution : Resolved, That the House of Representatives will, with the concurrence of the Senate, at the hour of three o'clock, this afternoon, go into the election of a president and fourteen directors of the branch of the bank of the State of Alabama at Mobile.

Mr Hubbard moved to amend the resolution by striking out the words "this afternoon" with a view to insert "on Monday," which was carried;

and the resolution, as amended, was then adopted. Ordered, that the acquaint the Senate therewith.

On motion of mr Rather: Resolved, That the Senate be now invited assemble in the Representatives Hall for the purpose of electing a secretary of State, and judge of the county court of Tuscaloosa county. Ordered, that the clerk acquaint the Senate therewith.

The Senate having repaired to the Hall of the House of Representatives and taken their seats, the two houses then proceeded to the election of secretary of State. James I. Thornton and Caswell R. Clifton being in nomination: For mr Thornton, 47 votes, for mr Clifton, 43 votes.

Those who voted for mr Thornton are Messrs President Aberombie Anderson Barclay Chapman Dupuy Erwin of G., Hemphill Irwin of H. Morton and Walthall Representatives–Messrs Breedin Brodnax Coker Cook Creagh Devereux Flournoy Fortson Hall Hudson of F. Johnson Keener Lockhart Lusk Massey Moffett Morrissette, Norwood Oliver Ormond Paul Perkins Porter Rhodes Richardson Ross Rugeley Simmons Tarrant Trotter Ward Ware Williams Wilson and Witherspoon.

Those who voted for Mr Clifton, are messrs Bridges Coopwood Edmondson Irvin Hogan McVay Phillips Pickett Smith and Vining ; Representatives–Messrs Speaker Brickell Camp Carmack Carithers Chamberlain Davis Drish Earle Fleming Graham Herbert Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lee M'Afee Mason Miree Musgrove Rather Reaves Saunders Scott Stewart Sumners Thompson Walker and Weissinger and Young.

Mr Goodrich voted for Francis S. Lyons.

Mr Thornton having received a majority of votes, mr Speaker therefor declared him duly elected secretary of State for the ensuing two years.

The two Houses then proceeded to the election of a judge of the county court for Tuscaloosa county. Robert E.B. Baylor, Alexander M. Robinson, and Marmaduke Williams being in nomination.

Those who voted for mr Baylor, are Messrs Chapman Hill and Vining; Representatives–Messrs Brickell Camp Creagh Earle Fleming Flournoy Graham Hall Lee Moffett Morrisette Perkins Richardson Scott Trotter and Witherspoon.

Those who voted for mr Robinson, are–Messrs President Abercrombie Anderson Coopwood Dupuy Hemphill Irwin of H. Phillips and Vining; Representatives-Messrs Breedin Coker Cook Devereux Drish Fortson Herbert Houston of M. Hubbard Keener M'Afee Miree Oliver Paul Porter Rather Rhodes Ross Rugely Saunders Simmons Ward Ware and Wilson.

Those who voted for mr Williams, are Messrs Ash Barclay Bridges Edmondson Erwin of G. Hogan M'Vay Morton Pickett and Smith: Representatives–Messrs Speaker Carmack Carithers Chamberlain Davis Hill Houston of L. Hudson of F. Hudson of J. Johnson King Lockhart Luck Massey Mason Musgrove Norwood Ormond Reaves Stewart Sumners Tarrant Thompson Walker Weissinger and Young.

No one of the candidates having received a majority of votes, the two Houses proceeded again to the election.

Those who voted for Mr Baylor, are Messrs Chapman and Vining: Representatives–Messrs Brickell Camp Creagh Earle Fleming Flournoy Graham Hall Lee Morrisette Perkins Richardson Scott and Witherspoon.

Those who voted for Mr Robinson are messrs President Abercrombie Anderson Coopwood Dupuy Hemphill Irwin of H. Phillips and Walthall: Representatives–M. Hubbard Keener M'Afee Miree Oliver Cook Paul Porter Rather Rhodes Ross Rugely Saunders Simmons Trotter Ward Ware and Wilson.

Those who voted for Mr Williams are messrs Ash Barclay Bridges Edmondson Erwin of G. Hill Hogan M'Vay Morton Pickett & Smith; Representatives–Messrs Speaker Carmack Carithers Chamberlain Davis Goodrich Hill Houston of L. Hudson of F. Hudson of J. Johnson King Lockhart Lusk Massey Moffett Musgrove Norwood

Ormond Reaves Stewart Sumners Tarrant Thompson Walker Weissinger and Young.

No one of the candidates having received a majority of votes; the two Houses, proceeded again to the election.

Those who voted for Mr Baylor, are Messrs Chapman and Vining; Representatives- Messrs Brickell Earle Flournoy Hall Morrisette Perkins and Scott.

Those who voted for mr Robinson, are messrs President Abercrombie Anderson Coopwood Hemphill Irwin of H. Phillips and Walthall: Representatives–messrs Breedin Brodnax Cooker Cook Devereux Drish Fleming Fortson Graham Herbert Houston of M. Hubbard Keener Lee M'Afee Miree Oliver Paul Porter Rather Rhodes Richardson Ross Rugely Saunders Simmons Trotter Ward Ware and Wilson.

Those who voted for mr Williams, are messrs Ash Barclay Bridges Dupuy Edmondson Erwin of G. Hill Hogan M'Vay Morton Pickett and Smith; Representatives –messrs Speaker Camp Carmack Carithers Chamberlain Creagh Davis Goodrich Hill Houston of L. Hudson of F. Hudson of J. Johnson King Lockhart Lusk Massey Mason Moffett Musgrove Norwood Ormond Reaves Stewart Sumners Tarrant Thompson Walker Weissinger Witherspoon and Young.

No one of the candidates having received a majority of votes, the two Houses proceeded to the election.

Those who voted for mr Baylor, are messrs Earle Hall and Morrisette.

Those who voted for mr Robinson, are messrs President Abercrombie Anderson Coopwood Dupuy Hemphill Irwin Phillips and Walthall; Representatives–Messrs Breedin Brodnax Coker Cook Devereux Drish Fleming Fortson Graham Herbert Houston of M. Hubbard Keener Lee M'Afee Miree Paul Perkins Porter Rather Rhodes Richardson Ross Rugely Saunders Scott Simmons Trotter Ward Ware and Wilson.

Those who vote for Mr Williams, are messrs Ash Barclay Bridges Chapman Edmondson Erwin of G. Hill Hogan M'Vay Morton Pickett Smith and Vining: Representatives–messrs Speaker Brickell Camp Carmack Carithers Chamberlain Creagh Davis Flournoy Goodrich Hill Houston of L. Hudson of F. Hudson of J. Johnson King Lockhart Lusk Massey Mason Moffett Musgrove Norwood Ormond Reaves Stewart Sumners Tarrant Thompson Walker Weissinger Witherspoon and Young,

Marmaduke Williams having received a majority of votes, mr Speaker therefore declared him duly elected judge of the county court for the county of Tuscaloosa.

The Senate then withdrew.

Mr Ormond offered the following preamble and resolution: Whereas, certain information has reached this place of the election of Gen. Jackson to the Presidency of the United States by a great and increasing majority;

Therefore be it Resolved, That as manifestation of out pleasure on the happening of this auspicious event the Doorkeeper be directed to illumninate the capitol this evening at 7'oclock. mr Hudson of F. moved the following amendment: and Martin Van Buren to the Vice-Presidency; which was lost. Yeas 32–nays 33.

The yeas and nays being desired, those who voted in the affirmative are; Messrs Breedin, Brickell, Carmack, Carithers, Chamberlain Fleming, Flournoy, Fortson, Goodrich, Graham, Hall, Houston of L. Houston of M. Hubbard, Hudson of F. Johnson, King, Lockhart, Massey, Mason, Moffett, Musgrove, Norwood, Ormond, Rather, Rhodes, Scott, Stewart, Sumners, Tarrant, Walker, Weissinger, and Williams.

Those who voted in the negative are: Messrs Speaker, Brodnax, Carmack, Coker, Cook, Creagh, Devereux, Drish, Earle, Herbert, Hollis, Keener, Lee, Lusk, Miree Morrisette, Oliver, Paul, Perkins, Porter, Reaves, Richardson, Ross Rugeley, Saunders, Simmons, Trotter, Ward, Ward, Wilson, Witherspoon, and Young.

Mr Flournoy moved that the further consideration of the resolution be postponed till Wednesday next; which was lost. Mr Rather moved to amend it by striking out the word 'this' with the view of inserting the word 'Wednesday'; which was carried.

Mr Ormond who voted in the majority on the adoption of mr Rather's

amendment, moved to re-consider the vote; which was carried. mr Rather then asked leave to withdraw the amendment; which was carried. The resolution was then unanimously adopted. Yeas 64.

Those who voted are, messrs Speaker Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson, Goodrich, Graham, Hall Herbert Hollis Houston of L. Houston of M. Hubbard Hudson of F. Johnson Keener King Lea Lockhart Lusk Masey

Mason, Miree, Moffett, Morrisette, Musgrove, Norwood, Oliver Ormond Paul Porter Rather Reaves Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

Mr Herbert moved the adoption of his amendment to rule No. 26 ; which was agreed to.

Mr Herbert moved the adoption of his amendment to rule No. 45, which was agreed to.

The House then adjourned until Monday morning 9 o'clock.

Monday, December 3, 1832.— mr Hall presented the petition of Peter Swares, praying the passed of a law to emancipate certain slaves therein named ; which was read and referred to the committee on emancipation.

Mr Fleming presented the petition of Benjamin Murald, of Madison county, praying the passage of a law to legitimate certain persons therein named ; which was read and referred to a select committee consisting of a messrs Fleming, Camp, and Scott.

Mr Earle presented the petition of sundry inhabitants of Jefferson county, praying that the citizens of said county pass the turnpike gate on Shoat's road free from toll; which was read and referred to the committee on roads, bridges, and ferries.

Mr Earle also presented a counter petition on the same subject; which was read and referred to the same committee to consider and report thereon.

A message from the Senate by mr Connor; mr Speaker–The Senate concur in the resolution of the House of Representatives proposing to go into the election of a President and fourteen Directors of the branch bank of the city of Mobile this evening at 3 o'clock. P.M. They have also rejected bills from the House of Representatives of the following titles, to wit: An act to repeal an act entitled an act to incorporate the town of Carrollton in the county of Pickens, and Fayetteville in Fayette county; an act to repeal an act passed December 20th, 1828, entitled an act regulating the compensation of jurors in Pickens county, and also the act passed January 13th, 1832, entitled an act to provide for the payment of jurors in the county of Pickens.

Mr Breedin offered the following : Whereas, the vote of mr Chamberlain is improperly entered on the journals on the question taken on the amendment offered to the resolution providing for the illumination of the capitol, he having voted in the affirmative instead of the negative ; Therefore resolved, That mr Chamberlain be now permitted to have the error corrected by the clerk ; which was adopted.

Mr Ormond offered the following resolution : Resolved, That it appears by the reading of the Journals of Saturday, that by the mistake of the clerk the vote of mr Chamberlain was improperly recorded as having voted in the negative on the amendment of mr Hudson of Franklins to insert the name of Martin Van Buren in the resolution offered by mr Ormond to illuminate the capitol on account of the election of Gen. Jackson to the Presidency, when in truth he voted in favor of said amendment, by which mistake the Speaker pronounced the said amendment lost; when in truth the said amendment was adopted by the House; which resolution was adopted. Yeas 34–nays 29.

The yeas and nays being desired, those who voted in the affirmative are, messrs Brickell Camp Carithers Cook Davis Earle Fleming Flournoy Goodrich Graham Herbert Houston of m. Hudson of J. Johnson Keener King Lockhart M'Afee Massey Mason Moffett Norwood Ormond Perkins Rather Scott Sumners Tarrant Thompson Walker Weissinger Williams and Young.

Those who voted in the negative are, Messrs Speaker Breedin Brodnax Carmack Coker Creagh Devereux Fortson Hall Hollis Lee Lusk Miree Morrissette Musgrove

Oliver Porter Reaves Rhodes Richardson Ross Rugely Saunders Simmons Trotter Ward Ware Wilson and Witherspoon.

Mr Camp presented the account of William R. Hunt, jailor of Madison county; which was read and referred to the committee on accounts.

Mr Breedin presented the petition of sundry citizens of the city of Mobile, praying an act incorporating themselves and their associates into a company to be called the merchants' Insurance Company of Mobile; which was read and referred to a select committee consisting of Messrs Breedin, Chamberlain and Creagh.

Mr Rather presented the petition of sundry citizens of the town of Sommerville, in the county of Morgan, praying an alteration of a certain law therein named; which was read and referred to a select committee; whereupon messrs Rather Rhodes and Scott were appointed.

Mr Oliver presented the petition of sundry citizens of Montgomery county, praying the passage of a law to incorporate a company for building a public tavern in said town; which was read and referred to the committee on propositions and grievances.

Mr M'Afee presented the petition of sundry inhabitants of St. Clair county, praying the passage of a law to establish a certain turnpike road therein named; which was read and referred to a select committee consisting of messrs M'Afee, Massey and Perkins.

Mr Breedin presented the petition of W. Brown, praying the passage of a law to emancipate certain persons therein named; which was read and referred to the committee on emancipation.

Mr Cook from the committee on propositions and grievances to which was referred the petition of Tabitha Frazer and of sundry persons in her behalf, reported that the prayer of the petitioner is unreasonable and ought not to be granted; in which report the House concurred.

The same committee to which was referred sundry petitions praying the emancipation of certain slaves therein named, asked leave to be discharged from the further consideration thereof; which was granted. Mr Cook then moved that the several petitions be referred to the committee on emancipation; which was carried.

The same committee to which was referred the petition of Cornelius Cox, of Bibb county, reported that as the county court of Bibb county has ample jurisdiction over th subject matter of said petition, they deem it inexpedient to legislate on the same. mr Davis moved that the report lie on the table was carried.

The same committee to which was referred the petition of sundry persons of Morgan county, for the relief of George Riggs, reported a bill to be entitled an act for the relief of George Riggs; which was read and ordered to a second reading.

Mr Hubbard introduced a bill to be entitles an act to appoint commissioners for the purpose of examine the Bank of the State of Alabama and its several branches; which was read the first time and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to the committee on the State Bank.

Mr Brodnax from the committee on roads, bridges, and ferries to whom was referred the bill entitled an act to authorise David Meredith to turnpike a certain road therein named, reported the same with amendment. The bill was then ordered to be engrossed for a third reading.

The same committee to which was referred the bill entitled an act to view, lay out and mark a certain road therein specified, reported a substitute in lieu thereof; which was adopted. The bill was ordered to be engrossed

for a third reading.

Mr Creagh from the committee on ways and means to whom was referred the bill entitled an act to repeal in part an act to raise a revenue for the support of government until otherwise altered by law, passed the 20th of January, 1832, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

Mr Rather from the select committee to which was referred the bill entitled an act to provide for taking the census in the year 1833, reported a substitute in lieu thereof; which was adopted. The bill was ordered to be engrossed for a third reading.

Mr Chamberlain from the select committee to whom was referred the petition of several citizens of Mobile county, praying a repeal of the special road laws for said county, reported a bill to be entitled an act to repeal the several acts concerning roads, highways, bridges and ferries in the county of Mobile; which was read and ordered to a second reading.

On motion of mr Carithers: Resolved, That the committee on the State Bank be instructed to inquire into the expediency of changing the time of notes falling due to said Bank, with leave to report by bill or otherwise.

Mr Porter introduced a bill to be entitled an act to authorize the tax collector of Monroe county to receive jury certificates in payment for taxes; which was read and ordered a second reading.

Mr Breedin introduced a bill to be entitled an act to alter the wards in the city of Mobile; which was read and ordered to a second reading.

Mr Mason introduced a bill to be entitled an act to appropriate a part of the three per cent. fund for the improvement of the navigation of Elk river: which was read the first time and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to the committee on inland navigation.

Mr Hudson of J. introduced a bill to be entitled an act to appropriate a part of the three per cent. fund for the purpose therein named; which was read the first time and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to the committee on inland navigation.

Mr Fleming introduced a bill to be entitled an act to incorporate the Merchants' Insurance Company of Huntsville ; which was read the first time and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith and referred to a select committee consisting of messrs Fleming, Camp, Scott, King, and Hudson of J.

Mr Flournoy introduced a bill to be entitled an act to legalize and confirm the name of James W. Clement; which was read and ordered to a second reading.

Mr Hubbard introduced a joint resolution proposing amendments to the Constitution of the State of Alabama; which was read and ordered to a second reading.

Mr Ward introduced a bill to be entitled an act to establish the permanent seat of justice in the county of Henry and for other purposes; which was read the first time and the rule requiring bills to be read on three several days being dispensed with, it was read the second time and referred to a select committee consisting of messrs Ward, Cook, and Coker.

Mr Goodrich introduced a bill to be entitled an act to legitimate and change the names of certain persons therein named' which was read and ordered to a second reading.

Mr Graham introduced a bill to be entitled an act to amend an act enti-

tled an act defining the liability of endorsers for and for other purposes, approved January 15th, 1828 ; which was read the first time and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to the judiciary committee.

Mr Speaker laid before the house the annual report of the Comptroller of Public Accounts; which was read. Ordered, that said report lie on the table and that five hundred copies thereof be printed for the use of this House.

Mr Earle asked leave to be discharged from the committee elected to examine the affairs of the Bank of the State of Alabama; which was granted.

Mr Mason asked leave to be discharged from the committee appointed to examine the Comptroller and Treasurer's offices ; which was granted.

The hour of eleven o'clock having arrived, the House proceeded to the orders of the day.

Engrossed bills of the following titles, to wit: An act to levy tax upon the cattle of non-residents; an act supplemental to an act entitled an act supplemental to an act to establish a turnpike road therein mentioned, approved January 7th, 1830; an act for the relief of John B. Martindale, an act authorizing a lottery for the benefit of Bellefonte Academy and for other purposes; and an act to authorize one justice of the peace and two freeholders or householders to receive the due acknowledgment and probate of deeds and relinquishment of dower, were severally read the third time and passed. Ordered, that the titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Oliver made the following report: The committee on enrolled bills have examined and find correctly enrolled, an act to amend and repeal an act entitled an act to prevent the introduction of slaves into Alabama and for other purposes, approved 16th January, 1832; also an act to establish a branch of the bank of the State of Alabama in the city of Mobile.

The engrossed bill entitled an act to repeal in part the several acts now in force in relation to the practice of medicine, was read the third time.-- mr Lea moved the previous question. The question was, shall the call for the previous question be sustained? and carried. The main question was then put, viz : Shall this bill pass? It was determine in the affirmative.-- Yeas 45–nays 20.

The yeas and nays being desired, those who voted in the affirmative are, messrs Speaker Brickell Brodnax Camp Carithers Coker Creagh Davis Devereux Earle Fleming Flournoy Fortson Goodrich Graham Hollis Houston of m. Hubbard Hudson of F. Johnson King Lee Lockhart Lusk Massey Mason Miree Musgrove Norwood Ormond Rather Rhodes Ross Saunders Scott Simmons Stewart Sumners Tarrant Thompson Walker Ward Weissinger Williams Wilson and Young.

Those who voted in the negative are: messrs Breedin Carmack Chamberlain Drish Hall Herbert Houston of L. Hudson of J. Keener Moffett Morrisette Oliver Paul Porter Reaves Richardson Rugely Trotter Ware and Witherspoon.

The bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Engrossed bill entitled an act to amend an act entitled an act to extend the powers of the county and orphans' court in certain cases, and for other purposes, approved January 16th, 1830, was read a third time. mr Ormond moved to amend the bill by way of the fallowing engrossed ryder; after the word 'found' and before the word 'execution,' insert the words 'generally or as to a part thereof'; which was adopted. The bill then passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to

the Senate for their concurrence.

Engrossed bill entitled an act to amend the several acts in relation to garnishees, was read this time. Mr Davis moved to amend it by way of proviso as an engrossed ryder at the end of the bill; which was adopted.

The bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

A message from the Senate by mr Morton: mr Speaker–The Senate have passed a bill entitled an act to incorporate the Daletown, Woodville and Greensborough Railroad Company, in which they request the concurrence of your honorable body.

The bill from the senate entitled an act to incorporate the Daletown, Woodville and Greensborough Railroad Company, was read the first time and the rule requiring bills to be read on three several days being dispenses with, it was read the second time forthwith and referred to the select committee to which was referred the bill which was originated in the house of Representatives on the same subject.

The engrossed bill entitled an act to establish certain counties therein named, was read the third time. Mr Goodrich moved to fill the blank in the second section with the name of Eaton; which was lost. Yeas 7— nays 58.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Flournoy Goodrich Houston of m. Lee Lockhart Miree and Norwood.

Those who voted in the negative are, messrs Speaker Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Fortson Graham Hall Herbert Hollis Houston of L. Hubbard Hudson of F. Hudson of J. Keener King Luck M'Afee Massey Mason Moffett Morrisette Musgrove Oliver Ormond Paul Perkins Porter Rather Reaves Richardson Ross Saunders Scott Simmons Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

The blank was filled with the name of "Talladega."

The bill passed. Ordered, that the title be as aforesaid, Ordered, that the same be sent to the Senate for their concurrence.

Mr Creagh introduced a bill to be entitled an act to make an appropriation for paying the commissioners appointed to examine the new digest, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith.

Mr Rather moved to amend the bill by inserting at the end the following: "to be paid out of any monies in the treasury not otherwise appropriated," which was carried, and the rule being further dispensed with, it was considered as engrossed, read the third time and passed. Ordered, that the title be aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

And then the House adjourned until three o'clock, this evening.

Evening Session, three o'clock.- Mr Fleming introduced a bill to be entitled an act to incorporate the Bell factory, in the county of Madison, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to a select committee, consisting of messrs Fleming, Camp and Scott.

On motion of mr M'Afee : Resolved, That the committee on county boundaries be instructed to inquire into the expediency of laying off all that territory within the Cherokee nation over which the county of St. Clair has jurisdiction, into one separate and distinct county, with leave to report by bill or otherwise.

Mr Hudson of J. presented the petition of sundry inhabitants of Jackson

county, praying the passage of a law declaring Paint Rock river a public highway, and for the removal of obstructions in said river, which was read and referred to the committee on inland navigation.

Ordered, that mr Weissinger be added to the committee on inland navigation.

Mr Speaker laid before the House the record and proceedings of the circuit court of Wilcox and Butler counties, exercising jurisdiction in chancery, in the cases James Luke against Mary Luke, and Naomi Archer against Alexander Archer, for divorce; they were severally read and referred to the committee on divorce and alimony.

Mr Creagh introduced a bill to be entitled an act more particularly to define the duties of the secretary of State, in relation to the arrangement and printing of the acts of each session of the General Assembly, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the judiciary committee.

On motion of mr Lockhart ; Resolved, That the judiciary committee be instructed to inquire if the judges of the county courts are by law authorised to hire out and appoint guardians for free negroes under the age of twenty-one years, and if not to inquire into the expediency, of passing a law giving them such authority.

Mr Ware introduced a bill to be entitled an act to make an appropriation for the removal of the obstructions in the Tallapoosa river, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the committee on inland navigation.

Mr Creagh introduced a bill to be entitled an act to amend the several acts regulating the attendance of witnesses and taking of depositions, which was read and ordered to a second reading.

On motion of mr Breedin: Resolved, That the Senate be now invited to assemble in the Hall, to go into the election of a president and fourteen directors for the branch of the Bank of the State of Alabama, at Mobile. Ordered, that the clerk acquaint the Senate therewith.

The Senate having repaired to the Hall of the House of Representatives and taken their seats, the two Houses proceeded to the election for a President for the Branch of the Bank of the State of Alabama, at Mobile-- George S. Gaines alone being in nomination.

Those who voted for mr Gaines, are messrs President Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. M'Vay Morton Phillips Pickett Smith Vining and Walthall, of the Senate–Messrs Speaker Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Coker Creagh Davis Devereux Drish Fleming Flournoy Fortson Goodrich Graham Hall Herbert Hill Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart Lusk McAfee Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Rather Reaves Rhodes Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ware Weissinger and Wilson.

Mr George S. Gaines having received all the votes given, Mr Speaker declared him duly elected President of the Branch Bank of the State of Alabama, at Mobile.

The two Houses then proceeded to the election of fourteen Directors, for the Branch of the Bank of the State of Alabama, at Mobile–Messrs David White, John Wood, George M. Rives, Thomas Carey, Nathaniel F. Williams, Franklin Robinson, Andrew Armstrong, Thomas Strange, John C. Sims, Archibald W. Gordon, Robert G. Gordon, James A. Tor-

bert, James E.E. Sheffield, John K. Collins, Benjamin Rutland, William Jones, jun. Philip McLoskey, A.H. Gazzam, Robert E. Center, Isaac H. Erwin, William H. Robinson, William Moore, John Bloodgood

Henry Hitchcock, William Austin, John B. Toulmin, William D. Stone,
and John B. Leavens, being in nomination.

Those who voted for Mr White, are messrs President Abercrombie Anderson Ash Bridges Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. M'Vay Morton Phillips Pickett Smith Vining and Walthall of the Senate–Messrs Speaker Breedin Brickell Brodnax Camp Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Goodrich Graham Hall Herbert Hill Houston of M. Hubbard Hudson of F. Johnson Keener Lee Lockhart Lusk Massey Miree Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Sumners Tarrant Trotter Walker and Weissinger.

Those who voted for Mr Wood, are messrs Abercrombie Anderson Coopwood Hemphill Irwin of H. Morton Phillips Pickett and Walthall of the Senate.–Messrs Speaker Brickell Brodnax Carithers Coker Cook Devereux Fleming Flournoy Fortson Graham Hall Herbert Houston of M. Hubbard Johnson Keener Lee Miree Oliver Ormond Paul Perkins Porter Rather Rhodes Rugely Saunders Scott Simmons Tarrant Ware Wilson and Young.

Those who voted for Mr Rives are messrs Abercrombie Anderson Hemphill and Phillips of the Senate.–Messrs Breedin Brickell Brodnax Camp Carithers Coker Cook Davis Devereux Earle Flournoy Fortson Herbert Hill Houston of L. Hubbard Hudson of F. Keener Lee Lockhart Lusk McAfee Massey Mason Miree Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Rhodes Richardson Ross Rugely Saunders Scott Simmons Sumners Tarrant Thompson Trotter Walker Ware and Wilson.

Those who voted for mr Casey, are messrs Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hill Hogan Irwin of H. M'Vay Pickett Smith and Vining of the Senate Messrs Speaker Brickell Camp Carmack Carithers Chamberlain Creagh Davis Fleming Fortson Goodrich Graham Hall Herbert Hill Houston of M. Hudson of F. Hudson of J. Johnson King Lockhart Lusk McAfee Massey Mason Moffett Musgrove Norwood Ormond Paul Rather Reaves Saunders Scott Sumners Tarrant Trotter Ware Weissinger Williams Witherspoon and Young

These who voted for Mr Williams are, Messrs Abercrombie Bridges Chapman Coopwood Hemphill Hill Irwin of H. Morton Phillips Pickett Smith and Walthall, of the Senate: Messrs Speaker Breesin Brickell Brodnax Carmack Carithers Coker Cook Creagh Devereux Drish Earle Flournoy Fortson Hall Herbert Hill Houston of M. Hubbard Hudson of F. Johnson Keener King Lea Lockhart Lusk Massey Mason Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Rhodes Richardson Ross Rugely Saunders Simmons Sumners Thompson Trotter Walker Ware Weissinger Wilson Witherspoon and Young.

Those who voted for Mr Franklin Robinson are Messrs President Abercrombie Anderson Coopwood Edmondson Erwin of G. Phillips Smith and Walthall, of the Senate. Messrs Speaker Camp Carithers Coker Devereux Earle Fleming Flournoy Fortson Graham Hall Hill Houston of M. Hubbard Keener Lea Lusk M'Afee Moffett Oliver Perkins Rather Richardson Ross Rugely Saunders Tarrant Weissinger Wilson and Witherspoon.

Those who voted for Mr Armstrong are, Messrs President Abercrombie Anderson Coopwood Hemphill M'Vay Morton Phillips Smith Vining and Walthall, of the Senate: Messrs Speaker Breedin Brickell Brodnax Camp Carithers Coker Cook Devereux Drish Earle Flournoy Fortson Herbert Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson King Keener Lockhart Lea Lusk M'Afee Massey Mason Miree Moffett Morrisette Musgrove Norwood Perkins Porter Rather Rhodes Ross Rugely Saunders Simmons Sumners Tarrant Thompson Walker Ware Williams Wilson and Young.

Those who voted for Mr Strange are, Messrs President Abercrombie Anderson Ash Coopwood Erwin of G. Hemphill M'Vay Morton Phillips and Walthall, of the Senate: Messrs Speaker Breedin Brickell Brodnax Camp Carmack Carithers Coker Cook Devereux Drish Flemming Flournoy Fortson Goodrich Hall Herbert Hill Houston of M. Hubbard, Hudson of F. Hudson of J. Johnson Keener Lea Lockhart Lusk M'Afee Massey Miree Moffett Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Ross Saunders Scott Sumners Tarrant Thompson Trotter Ware Wilson and Young.

Those who voted for Mr Sims are, Messrs President Abercrombie Anderson Ash Coopwood Dupuy Hemphill Morton Phillips Vining and Walthall, of the Senate: Messrs Breedin Carithers Coker Cook Devereux Drish Earle Flournoy Fortson Graham Hall Herbert Hill Houston of M. Hubbard Hudson of F. Johnson King Lea M'Afee Massey Miree Moffett Musgrove Oliver Paul Perkins Porter Rather Rhodes Ross Rugely Saunders Tarrant Trotter Thompson Walker Ware Weissinger Williams Wilson and Witherspoon.

Those who voted for Mr Archibald W. Gordon are, Messrs President Abercrombie Hemphill Irwin of H. Morton and Phillips of the Senate. Messrs Breedin Carithers Coker Cook Devereux Drish Fortson Hall Johnson M'Afee Massey Miree Morrisette Paul Perkins Porter Rhodes Ross Saunders Simmons Walker and Wilson.

Those who voted for Robert G. Gordon are, Messrs President Abbercromie Bridges Coopwood Morton Phillips Pickett and Vining, of the Senate : Messrs Speaker Brodnax Cook Creagh Drish Earle Herbert Houston of M. Hubbard Lea Oliver Paul Richardson Ross Rugely Saunders Scott Tarrant Thompson Ware Weissinger Wilson and Young.

Those who voted for Mr Torbert are, messrs President Anderson Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hill Pickett Smith and Walthall of the Senate: Messrs Breedin Brickell Brodnax Cam Chamberlain Earle Flournoy Goodrich Hall Houston of L. Hudson of J. Keener King Lea Lockhart M'Afee Massey Mason Miree Moffett Morrisette Oliver Ormond Paul Perkins Reaves Saunders Scott Simmons Thompson Ware Weissinger Williams Wilson Witherspoon and Young.

Those who voted for Mr Sheffield are, Messrs President Hemphill and Morton of the Senate: Messrs Breedin Carithers Coker Cook Devereux Earle Hall Hill Houston of M. Hubbard Johnson Massey Miree Morrisette Oliver Paul Rather Reaves Ross Rugely Saunders Simmons Sumners and Wilson.

Those who voted in for Mr Collins are, Messrs Barclay Chapman Dupuy Edmondson Hemphill

Hill Hogan M'Vay Phillips and Vining of the Senate: Messrs Breedin Brodnax Camp Carmack Chamberlain Cook Creagh Davis Earle Flournoy Fortson Goodrich Graham Herbert Houston of L. Hudson of J. King Lockhart Lusk M'Afee Mason Miree Reaves Rhodes Richardson Ross Saunders Scott Simmons Trotter Walker Ware Williams and Young.

Those who voted for Mr Rutland are, Messrs Abercrombie Ash Barclay Chapman Erwin of G. Hemphill Hill Irwin of H. M'Vay Phillips Pickett Smith Vining and Walthall, of the Senate Messrs Breedin Brickell Brodnax Camp Carmack Coker Davis Devereux Flemming Goodrich Graham Hill Hudson of F. King Lockhart Miree Moffett Morrisette Oliver Paul Porter Rather Rhodes Richardson Ross Rugely Scott Simmons Sumners Tarrant Thompson Trotter Walker Ware Weissinger and Young.

Those who voted for mr Jones are, Messrs President Abercrombie Anderson Coopwood Erwin of G. Hemphill Irwin of H. Mortin Phillips and Walthall, of the Senate: Messrs Speaker Breedin Brodnax Carmack Coker Cook Devereux Drish Earle Fortson Graham Hall Herbert Hubbard Johnson Keener Lea Lockhart Lusk M'Afee Miree Moffett Morrisette Oliver Ormond Perkins Porter Rhodes Richardson Ross Rugely Simmons Sumners Thompson Trotter Walker Ware Weissinger Williams Witherspoon and Young.

Those who voted for Mr M'Loskey are, Messrs Anderson Ash Barclay Bridges Chapman Dupuy Edmondson Erwin of G. Hill Hogan Irwin of H. Pickett Smith and Vining of the Senate: Messrs Speaker Camp Carmack Chamberlain Creagh Flemming Flournoy Graham Houston of L. Houston of M. Hudson of F. Hudson of J. Keener King Mason Norwood Ormond Reaves Richardson Trotter Willams and Witherspoon.

Those who voted for Messrs Gazzam are, Messrs President Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H.M'Vay Morton Pickett Smith Vining and Walthall, of the Senate: Messrs Speaker Breedin Brickell Brodnax Camp Carithers Chamberlain Coker Creagh Davis Devereux Drish Earle Flemming Goodrich Graham Hall Herbert Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson King M'Afee Massey Mason Moffett Morrisette Musgrove Norwood Oliver Ormond Perkins Porter Rather Reaves Rugely Simmons Sumners Tarrant Thompson Trotter Walker Ware Weissinger Williams Wilson and Witherspoon.

Those who voted for Mr Center are, Messrs Ash Barclay Bridges Dupuy Edmondson Erwin of G. Hill Hogan Irwin of H. M'Vay Vining and Walthall of the Senate: Messrs Carmack Chamberlain Creagh Davis Flemming Goodrich Graham Houston of L. Hudson of J. Keener Mason Musgrove Norwood Porter Reaves Richardson Scott Williams and Witherspoon.

Those who voted for Mr Erwin are, Messrs Anderson Ashe Barclay Bridges Coopwood Erwin of G Hogan M'Vay Morton Pickett Smith Vining and Walthall of the Senate: Messrs Speaker Carmack Chamberlain Creagh Davis Drish Flournoy Goodrich Graham Houston of L. Hudson of F. Hudson of J. Johnson Keener King Lea Lockhart Lusk M'Afee Mason Moffett Musgrove Norwood Porter Reaves Rhodes Scott Sumners Thompson Trotter Weissinger Williams Witherspoon and Young.

Those who voted for Mr William Robinson are, Messrs Ash Barclay Bridges Chapman Dupuy Edmondson
Hogan and M'Vay, of the Senate: Messrs Chamberlain Fleming Goodrich Hudson of J. King Lea Mason Norwood Ormond Richardson Scott Williams and Witherspoon.

Those who voted for Mr Moore are, Messrs Barclay Bridges Dupuy Edmondson Hill Hogan and Vining of the Senate; Messrs Carmack Chamberlain Creagh Davis Fortson Goodrich Houston of L. Hudson of J. Keener King Lea Lockhart Lusk Musgrove Reaves Walker Weissinger Willams and Witherspoon.

Those who voted for Mr Bloodgood are, messrs Barclay Chapman Hill Hogan M'Vay Pickett and Vining of the
Senate; Messrs Speaker Camp Creagh Davis Fleming Herbert Lockhart M'Afee Morrisette Reaves and Scott.

Those who voted for Mr Hitchcock are, Messrs President Ash Barclay Bridges Chapman Dupuy Edmondson
Hill Hogan Irwin of H. Pickett Smith and Vining of the Senate: Messrs Speaker Breedin Brickell Camp Carmack Chamberlain Creagh Davis Drish Fleming Goodrich Graham Hill Houston of L. Hudson of F. King Lusk Mason Moffett Morrisette Ormond Reaves Richardson Trotter Weissinger Williams Wilson and Witherspoon.

Those who voted for Mr Austin are,Messrs Anderson Ash Barclay Bridges Chapman Dupuy Edmondson

Er-
win of G. Hill Hogan Irwin of H. M'Vay Pickett Smith and Vining, of the Senate: Messrs Camp Chamberlain Creagh Davis Drish Fleming Goodrich Graham Houston of L. Hubbard Hudson of J. Keener Lusk Massey Mason Musgrove Norwood Ormond Reaves Scott Sumner Tarrant Thompson Trotter Walker Willams Witherspoon and Young.

Those who voted for Mr Toulmin are, Messrs President Ash Barclay Bridges Chapman Dupuy Edmondson
Erwin of G. Hill Irwin of H. M'Vay Morton Pickett, of the Senate: Messrs Brickell Brodnax Carmack Carithers Chamberlain Cook Davis Drish Earle Flornoy Fortson Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of J. Johnson M'Afee Massey Moffett Morrisette Musgrove Oliver Ormond Paul Perkins Rather Rhodes Richardson Rugley Simmons Sumners Tarrant Thompson Walker Ware Wilson and Young

Those who voted for Mr Stone are, Messrs President Ash Bridges Chapman Dupuy Edmondson Erwin of G.
Hogan M'Vay and Smith of the Senate: Messrs Chamberlain Creagh Goodrich Houston of L. Hudson of J. King and Norwood.

Those who voted for Mr Leavens are, Messrs President Abercrombie Anderson Chapman Coopwood Hemphill
Hill Irwin of H. Morton Phillips and Walthall, of the Senate: Messrs Breedin Brickell Brodnax Carmack Carithers Coker Cook Davis Devereux Drish Earle Fleming Flournoy Fortson Hall Hill Houston of M. Hubbard Hudson of F. Johnson Keener Lea, Lusk Massey Mason Miree Moffett Morrisette Musgrove Norwood Oliver Paul
Perkins Porter Rather Reves Richardson Ross Rugeley Simmons Sumners Tarrant Thompson Weissinger Wilson Witherspoon and Young

David White, George M. Rivees, Thomas Casey, Nathaniel F. Williams, Andrew Armstrong, Thomas Strang, John C. Sims, John R. Collins, Benjamin Rutland, William Jones, Jr., Audley H. Gazzam, John B. Toulmin and Joshua B. Leavens, having received a majority of votes, Mr Speaker therefore declared them duly elected directors of the Branch of the Bank of the State of Alabama, located in the city of Mobile.

Mr Torbert and Erwin, having received an equal number of votes, the two Houses then proceeded to the election of another director of said Bank, James A. Torbert and Isaac H. Erwin being again in nomination, having before received a high and equal number of votes.

Those who voted for Mr Torbert are, Messrs President Abercrombie and Chapman on the Senate: Messrs Breedin Brickell Carithers Drish Fortson Hall Herbert

Hill Houston of M. Lee Lockhart Massey Miree Paul Rather Ross Rugely Saunders Simmons Tarrant Walker Ware and Wilson.

Those who voted for Mr Erwin are, Messrs Ash Barclay Bridges Dupuy Edmondson Erwin of G. Hogan McVay Smith and Vining of the Senate; Messrs Speaker Camp Chamberlain Creagh Davis Fleming M'Afee Musgrove Rhodes Sumners Thompson Trotter Weissinger Williams Witherpsoon and Young,

Both of the candidates having received an equal number of votes, the two Houses again proceeded to the election.

Those who voted for mr Torbert are messrs President and Abercrombie of the Senate. Messrs Breedin Brickell Carithers Drish Hall Herbert Houston of M. Lee Lockhart Massey Miree Paul Rather Ross Rugeley Saunders Simmons Sumners Tarrant Walker Ware Weissinger Wilson and Young.

Those who voted for mr Erwin are Messrs Ash Barclay Bridges Chapman Dupuy Edmondson Erwin of G. Hogan M'Vay Smith and Vining of the Senate.

Messrs Speaker Camp Chamberlain Creagh Fleming Fortson Hill McAfee Musgrove Rhodes Thompson Trotter Williams and Witherspoon.

Mr James A. Torbert having received a majority of votes, Mr Speaker therefore declared him duly elected a director of the Branch of the Bank of the State of Alabama, located at the city of Mobile.

The Senate then withdrew, and the House adjourned until to-morrow morning at 10 o'clock.

Tuesday, Dec. 4th, 1832.–A message from the Senate, by mr Connor: Mr Speaker, The Senate have passed bills of the following titles, viz: An act authorising a lottery for the improvement of a road therein named; an act to incorporate the town of Lowndesborough, in Lowndes county; an act to incorporate the town of Waterloo, in Lauderdale county, an act authorising a lottery for the benefit of Lowndes Lodge, No. 33, of ancient free masons. They have also passed bills which originated in the Senate, of the following titles, to-wit: An act to provide for taking the census of the State of Alabama; an act to amend the several acts relating to the sixteenth sections ; an act to revise in part and amend an act to allow Trustees of the State University pay for their services, passed Dec. 26th, 1822; an act to provide for electing justices of the peace and constables: an act to authorise the colonel commandant of the 15th regiment, in the county of Jefferson, to increase the number of beats in said regiment, and for other purposes; an act to incorporate the Mobile and New Orleans stage and stem boat company ; an act to repeal in part an act therein named; an act concerning dower ; an act to authorise the judges of the Supreme Court to grant certain writs therein mentioned; an act to repeal in part and amend an act to revise, consolidate, and amend, the several acts relative to justices of the peace and constables, passed December 27, 1814; an act to authorise the county courts of roads and revenue to change State roads running through their respective counties; an act to review and alter the State road leading from Prim's store, in Dallas county, to Montevallo, in Shelby county, in which they ask the concurrence of your honorable body. They have also adopted the following resolution: Resolved, That with the concurrence of the House of Representatives, that the two Houses will assemble in the Representative Hall, on Tuesday, at the hour of 3 o'clock P. M. for the purpose of electing a Trustee of the University of Alabama, to fill the vacancy occasioned by the resignation of P.T. Harris, also, to elect a Trustee of the 7th judicial circuit, to fill the vacancy occasioned by the resignation of John C. Kilpatrick; in which resolution the House concurred Ordered, that the clerk acquaint the Senate therewith.

Bills from the Senate of the following titles, viz: An act to amend the

several acts relating to the sixteenth sections, an act to provide for electing justices of the peace and constables, an act to authorise the colonel-com-

mandant of the 15th regiment, in the county of Jefferson, to increase the number of beats in said regiment, and for other purposes; an act to incorporate the Mobile and New Orleans stage and steam boat company; an act to repeal in part an act therein mention: and an act to review and alter the State road leading from Prim's store, in Dallas county, to Montevallo, in Shelby county, were severally read and ordered to a second reading.

The bill from the Senate entitled an act to provide for taking the census of the State of Alabama, was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, it was read the second time forthwith, and referred to a select committee, consisting of messrs Rather, Cook, Houston, of L. Morrisette and Graham.

The engrossed bill entitled an act to provide for taking the census in the year 1833, was referred to the select committee to which was referred the bill from the Senate on that subject.

The bill from the Senate entitled an act to revise in part and amend an act to allow Trustees of the State University pay for their services, passed December 26th, 1822, was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, it was read the second time forthwith and referred to the committee on education.

Bills from the Senate of the following titles, to wit: An act concerning dower; an act to authorise the judges of the supreme court to grant certain writs therein mentioned, and an act to repeal in part and amend an act to revise consolidate, and amend, the several acts relative to justices of the peace and constables, passed December 27th, 1814, were severally read the first time, and the rule requiring bills to be read three several days, being dispensed with, they were severally read the second time and referred to the judiciary committee.

The bill from the Senate entitled an act to authorise the county courts of roads an revenue to change State roads running through their respective counties, was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, it was read the second time forthwith and referred to the committee on accounts.

Mr Hudson of F. presented the account of James Rather; which was read and referred to the committee on accounts.

Mr Lusk presented the petition of sundry citizens of Bellefonte, praying an alteration of a law; which was read and referred to a select committee-Whereupon, messrs Lusk, Hudson, of J. Norwood, Goodrich and Graham, were appointed said committee.

Mr Oliver presented the account of the jailor of Montgomery county. Mr Porter presented the account of William Tarleton, of Monroe county; they were severally read and referred to the committee on accounts.

Mr Chamberlain presented the petition of Juan Fernandes, praying the passage of a law to emancipate a certain person therein named, which was read and referred to the committee on emancipation.

Mr Goodrich called up the engrossed bill entitled an act providing for the payment of a petit jurors, in the county of Jackson, it was placed among the orders of the day.

Mr Fleming presented the petition of sundry citizens of Jackson county, on the subject of Garrett and Hill's mill, on Paint Rock river, which was read and referred to the committee on inland navigation.

Mr Thompson presented the account of Burr & Wilson, of Fayette county, which was read and referred to the committee on accounts.

Mr Graham presented the petition of John Brahan, of Madison county, praying a re-valuation of a certain part of land, in Lawrence county, which

was read and referred to the delegation of Lawrence and Madison county, with the exception of mr Hubbard.

Message from the Senate, by mr Morton: Mr Speaker, The Senate have passed a bill entitled an act to change the time of holding the county court of Morgan county; in which they ask the concurrence of the House of Representatives.

The bill from the Senate entitled an act to change the time of holding the county courts of Morgan county, was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, it was read the second time forthwith and referred to the delegation of Morgan and Lauderdale counties.

Mr Lockhart presented the account of James H. Adams, late assessor and tax collector of Marengo county; which was read and referred to the committee on accounts.

Mr Rhodes from the committee on the State Bank, to whom was referred the bill from the Senate entitled an act to increase the capital stock of the Branch of the Bank of the State of Alabama, at the town of Montgomery, reported the same without amendment; the bill was ordered to a third reading.

Mr Ware from the select committee to whom was referred the bill entitled an act to establish the permanent seat of justice in the county of Henry and for other purposes, reported the same without amendment; it was ordered to be engrossed for a third reading.

On motion of mr Creagh, Resolved, That the committee on privileges and elections be instructed to inquire into the expediency of abolishing the election precinct at Calk's, in Clark county, and establish one at Macon, instead of Clarkesville.

On motion of mr Creagh, Resolved, That the military committee be instructed to inquire into the expediency of consolidating into one, the two regiments in Clark county.

Mr Davis introduced a bill for the relief of William Moore; which was read and ordered to a second reading.

Mr Paul introduced a bill to be entitled an act to explain the 3d section of an act entitled an act for leasing the sixteenth sections, &c; which was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, the bill was then read the second time forthwith and referred to a select committee–Whereupon, messrs Paul, Herbert and Saunders, were appointed said committee.

Mr Porter introduced a bill to be entitled an act to change the time of holding the county courts of Monroe county; which was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, it was read the second time forthwith, and the rule being further dispensed with, the bill was taken for engrossed, read the third time forthwith and passed: Ordered, that the title be as aforesaid: Ordered, that the same be sent to the Senate for concurrence.

Mr Stewart introduced a bill to be entitled an act to reduce the costs in suits at common law; which was read and ordered to a second reading.

Mr Fleming introduced a bill to be entitled an act to divide the third regiment of the militia of this State; which was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, it was read the second time forthwith; and the rule being further dispensed with, it was read the third time forthwith and passed; Ordered, that the

title be as aforesaid; Ordered, that the same be sent to the Senate for their concurrence.

On motion of mr Rugely ; Resolved, That the committee on the State printing be instructed to inquire into the expediency of having an additional number of the acts and journals printed, and that they be instructed to report by bill or otherwise.

Mr Herbert made the following report: The joint special committee of arrangements, to whom was instructed the preparatory, ordinance testifying by the two Houses, the feelings of respect for the memory of Charles Carroll, of Carrollton, and their deep regret at his dissolution, instructed me to report— That they have a sub-committee waited on the Rev. Dr. Woods, inviting him to open the ceremonies of the day by divine service —— and also on the Rev. Mr Hilliard, to deliver an appropriate Eulogy for the occasion; and have received for answer their acceptance ; and Friday is designated as the day–and that the order of procession will be published by a detailed sub-committee: Ordered, that the report lie on the table.

Mr Paul introduced a bill to be entitled an act to divorce certain persons therein named: which was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, it was read the second time forthwith and referred to the committee on divorce and alimony.

On motion of Mr Mason, Resolved, that the judiciary committee be instructed to inquire into the expediency of so amending the present laws regulating the fees of judges of the county courts, as to give said judges a compensation for the final settlement of the accounts of executors, administrators and guardians, portioned to the labour required by such settlement.

Mr Hudson of J. Introduced a bill to be entitled an act conferring certain powers on the mayor or intendant and constable of the town of Bellefont, in the county of Jackson, which was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, it was read a second time and referred to the judiciary committee.

The House then proceeded to the orders of the day. Engrossed bills of the following titles, to-wit: An act for the relief of the tax collector of Walker county; an act to incorporate for a limited time the Crow Creek navigation company; an act for the relief of James Elliott and John S. Rhea, of Franklin county; an act to authorize the removal of the obstructions on Tate's Shoals, on the Alabama river, were severally read the third time and passed: Ordered, that the titles be as aforesaid: Ordered, that the same be sent to the Senate for concurrence.

The bill from the Senate entitled an act to repeal in part an act entitled an act to prevent the introduction of slaves into Alabama, and for other purposes, was on motion of mr Morrisette, ordered to lie on the table.

The engrossed bill entitled an act more particularly defining the powers of the commissioners of roads and revenue in certain cases therein specified, was read the third time. Mr Hudson of F. moved the following amendment by way of engrossed ryder: "Provided, that said commissioners shall open no such roads which they may believe to be intended to abridge the privileges granted to any turnpike road by its charter:" which was lost; the bill passed: Ordered, that the title be as aforesaid; Ordered, that the same be sent to the Senate for concurrence.

The engrossed joint resolutions requesting the Congress of the United

States to take into consideration the subject of building a Fort on Dauphin Island, was read the third time; and the question being put, “Shall this resolution pass,” it was determined in the negative–Yeas 9, nays 59.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Breedin Carmack Chamberlain Hall Hill Paul Perkins Tarrant and Trotter.

Those who voted in te negative are messrs Speaker Brickell Brodnax Camp Carithers Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Herbert Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart Lusk McAfee Massey Mason Miree Moffett Morrisette Musgrove Oliver Ormond Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Thompson Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

The engrossed bill entitled an act for the relief of Eliza W. Baker, was read the third time. Mr Rhodes moved to amend the bill by way of engrossed rider, by adding thereto a section, No. 2; which was adopted; the bill passed. Mr Rhodes moved to amend the title of the bill with the words “And Angerona Crockett;” which was adopted: Ordered, that the title be as aforesaid: Ordered, that the same be sent to the Senate for their concurrence.

A message from the Senate, by mr Morton. mr Speaker, the Senate have passed a bill which originated in the House of Representatives, entitled an act to make an appropriation for paying the commissioners appointed to examine the new Digest.

The House then adjourned until three o’clock this evening.

Evening Session, 3 o’clock–Mr Miree made the following report The committee on enrolled bills have examined and find correctly enrolled an act to make an appropriation for paying the commissioners appointed to examine the new Digest.

A message from the Senate, by mr Connor. mr Speaker, the Senate have passed a bill from the House of Representatives, entitled an act to change the time of holding the county courts of Monroe county.

Mr Flournoy moved that the engrossed bill entitled an act to establish a State road from the town of Tuscaloosa, to the Mississippi State Line, by way of the town of Carrollton and Pickensville, in Pickens county, to be referred to the committee on roads, bridges, and ferries.

The bill from the Senate entitled an act to provide for the opening and cleaning out the Black Warrior river, above the town of Tuscaloosa, was read the second time and referred to the committee on inland navigation.

On motion of mr Moffett, Resolved, that a select committee on roads, bridges and ferries, be instructed to inquire into the expediency of appropriating part of the three pre cent. fund to making of a cause-way on the State road through Big Creek swamp, in the county of Greene.

Mr Rather offered the following resolution : Resolved, that a select committee be appointed to inquire into the expediency of memorialising the Congress of the United States, in behalf of the disbanded officers of the United States Army, who served in the same during the late war ; which was lost.

On motion of mr Devereux ; Resolved. That the committee on inland navigation be instructed to inquire into the propriety of appropriating a portion of the tree per cent. fund to the improvement of the navigation of the Conecuh and Sepalgah rivers, in the counties of Conecuh and Covington.

On motion of mr Rather: Resolved, that the Senate be now informed that this House is now ready to receive them in the Hall, for the purpose of going into the election of a Trustee of the University, from the first

and seventh judicial circuit: Ordered, that the clerk acquaint the senate therewith.

The senate having repaired to the Hall of the House of Representatives and taken their seats, the two Houses proceeded to the election of a Trustee of University, from the first circuit. Benjamin Brent Breedin and John G. Creagh, being in nomination.

Those who voted for mr Breedin, are messrs President Abercrombie Anderson Barclay Dupuy Hemphill Hill Irwin of H. Morton and Phillips of the Senate. Messrs Brodnax Carithers Coker Cook Devereux Earle Flournoy Fortson Goodrich Hall Herbert Hill Hollis Houston of M, Hubbard Hudson of F. Johnson Keener Lee Lusk Miree Musgrove Norwood Oliver Porter Rather Reaves Rhodes Richardson Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Wilson and Witherspoon.

Those who voted for mr Creagh, are messrs Ash Bridges Chapman Coopwood Edmondson Erwin of G. Hogan M'VAY Vining of the Senate. Messrs Speaker Bricknell Camp Carjack Chamberlain Davis Fleming Graham Houston of L. Hudson of J. King Lockhart M'Afee Mussaey Mason Moffett Morrisette Ormond Paul Trotter Williams and Young.

Mr Breedin having received a majority of votes, mr Speaker declared him elected a Trustee of the University, for the first judicial circuit.

The two Houses then proceeded to the election of a Trustee of the University from the seventh judicial circuit. William H. Musgrove and William S. Jones being in nomination.

Those who voted for mr Musgrove are messrs Ash Barclay Bridges Coopwood Dupuy Hill Morton and Smith of the Senate. Messrs Speaker Brodnax Camp Carjack Carithers Chamberlain Coker Cook Davis Devereux Drish Earle Fleming Fortson Graham Hall Herbert Hill Hollis Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart Lusk McAfee Massey Mason Miree Morrisette Norwood Oliver Porter Rather Reaves Rhodes Rugely Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson and Young.

Those who voted for mr Jones, are messrs President Abercrombie Anderson Chapman Edmondson Erwin of G. Hemphill Hogan Irwin of H. M'VAY Phillips Vining and Walthall of the Senate, messrs Bracknell Flournoy Goodrich Hubbard Moffett Ormond and Richardson.

Mr Musgrove having received a majority of votes, mr Speaker declared him duly elected a Trustee of the university of Alabama, for the 7th judicial circuit. The Senate withdrew and the House adjourned until tomorrow morning 9 o'clock.

Wednesday, December 5th, 1832.–A message from the Senate, by mr Morton, Mr Speaker, the Senate have passed the bills which originated in the House of Representatives, of the following titles, to-wit: An act to repeal in part the several acts now in force in relation to the practice of medicine, and an act to levy a tax upon the cattle of non-residents.

They have adopted the following resolution: Resolved, with the concurrence of the House of Representatives, that the two Houses will adjourn sine die on Thursday the 20th instant. Mr Hudson of F. moved that the resolution lie on the table; which was carried.

Mr Bracknell presented the petition of sundry citizens of Limestone county, on the subject of emancipating slaves, which was read and referred to the committee on emancipation.

Mr Ormond presented the petition of sundry citizens of Lawrence county, on the same subject as the one presented by mr Bracknell; which was read and referred to the same committee.

Mr Breedin presented the account of the sheriff of Mobile county.

Mr Creagh presented the account of the sheriff of Clark county; they were severally read and referred to the committee on accounts.

Mr Breedin presented th petition of sundry citizens of the city and county of Mobile, praying the passage of a law to increase the salary of the judge of the county court of Mobile county' which was read and referred

to the judiciary committee.

Mr Houston of M. from the committee on roads, bridges and ferries, to whom was referred the petition of sundry citizens of Jefferson county, praying the removal of the turnpike gate, heretofore established at Tachanah Slagg's, be removed out of the county of Jefferson, and also a counter petition praying that the gate may remain where it now is, reported, that

it is inexpedient to legislate on the subject, and desire the concurrence of the House. Mr Earle moved that the report lie on the table; which was carried.

Mr Brodnax from the committee on roads, bridges and ferries, to whom was referred the bill entitled an act to establish a State road from the town of Tuscaloosa, to the Mississippi State line, in a direction to Jackson, in the State of Mississippi, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

Mr Brodnax from the committee on roads, bridges and ferries, to whom was referred the bill from the senate entitled an act to establish a State road from the town of Tuscaloosa, to the Mississippi State line, by way of the towns of Carrollton and Pickensville, in Pickens county, reported the same without amendment. Mr Rather moved that the bill be referred to the committee on inland navigation; which was carried.

Mr Porter made the following report. The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to-wit: An act to incorporate the town of Lowndes, in Lowndes county ; an act to authorise a lottery for the improvement of a road therein named.

Mr Devereux made the following report. The committee on enrolled bills have examined and found correctly enrolled bills of the following titles, viz : An act to incorporate the town of Waterloo, in Lauderdale county; an act authorizing a lottery for the benefit of Lowndes Lodge, No. 33, of ancient free masons, and an act to change the time of holding the county courts of Monroe county.

Mr Rather from the select committee to whom was referred the petition of the citizens of Somerville, praying the passage of a law authorizing them to elect a constable, reported a bill to be entitled an act authorizing the citizens of Somerville to elect a constable; which was read and ordered to a second reading.

Mr Scott from the select committee to whom was referred the petition of Benjamin Murald, reported a bill to be entitled an act to legitimate certain persons therein named; which was read and ordered to a second reading.

Mr Fleming from the select committee to whom was referred the bill entitled an act to incorporate the Bell Factory, in the county of Madison, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

Mr Wilson introduced a bill to be entitled an act to define the manner in which contempts committed in vacation shall be punished ; which was read and ordered to a second reading.

Mr Goodrich introduced a bill to be entitled an act to incorporate the town of Claysville, in Jackson county; which was read and ordered to a second reading.

Mr Ware introduced a bill to be entitled an act for the relief of Ludwell W. Taylor , and others; which was read, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to the committee on roads, bridges and ferries.

Mr Musgrove introduced a bill to be entitled an act to amend the law in relation to the duty of the county court judges, which was read the first time and he rule requiring bills to be read on three several days being dispensed with, it was read a second time forthwith and referred to the judiciary committee.

Mr Goodrich introduced a bill to be entitled an act to incorporate the Claysville Independent Blues, of Jackson county; which was read the first time and the rule requiring bills to be read on three several days being

dispensed with, it was read a second time and referred to the military committee.

Mr Porter introduced a bill declaratory of the act of incorporation of the town of Claiborne, which was read and ordered to a second reading.

Mr Devereux introduced a bill to be entitled an act to establish permanently the boundaries of the county of Covington, and for other purposes; which was read and ordered to a second reading.

Mr Paul from the select committee to whom was referred the bill entitled an act to explain the third section of an act entitled an act for leasing the sixteenth sections, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

Mr Creagh offered the following resolution: Resolved, That the committee on accounts be instructed to allow the sheriffs two days pay for holding election of electors for President and Vice-President, and one day's pay for every thirty miles they have traveled in making returns of the same; which was rejected.

On motion of mr Brodnax, Resolved, that the military committee be instructed to enquire into the expediency of passing a law to exempt any person from military duty in time of peace, who has served as an officer five years.

The House then proceeded to the orders of the day.

The bill from the senate entitled an act to increase the capital stock of the Branch of the Bank of the State of Alabama, was read the third time and passed. Ordered, that the title be as aforesaid ; Ordered, that the clerk acquaint the senate therewith.

Engrossed bill entitled an act for the relief of witnesses and jurors, was read the third time and passed. Ordered, that the title be as aforesaid; Ordered, that the same be sent to the senate for their concurrence.

The engrossed bill entitled an act to provide for the improvement of a part of the Coosa river, was read a third time. Mr Massey moved to amend the bill by way of engrossed ryder, by adding thereto an additional section, No. 4., which was adopted. Mr Drish moved to amend the bill by way of ryder, by adding thereto an additional section; which was lost. mr Hubbard moved that it be referred to the committee on inland navigation, with instructions to report a general law on the subject; which was carried.

The engrossed bill, entitled on act for the benefit of the poor, was read the third time. Mr Hudson of F. moved to amend the bill by way of the following engrossed ryder: "Provided, that this act shall not take effect until the first day of April next: which was adopted: and the question being put "Shall this bill pass?" it was determined in the affirmative. Yeas 63, nay. 1

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Breedin Brickell Brodnax Camp Carmack Carither Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Hall Herbert Hollis Hill Houston of L Houston of M. Hubbard Hudson of F. Johnson Keener Lee Lockhart Luck McAfee Massey Mason Miree Moffett Morrisette Musgrove Oliver Ormond Paul Porter Reaves Rhodes Richardson Ross Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson and Young.

Mr Rather voted in the negative.

Mr Hubbard moved to amend the title of the bill with the following "to exempt certain property from execution;" which was adopted: Ordered, that the title be as aforesaid; Ordered, that the same be sent to the

senate for concurrence.

The engrossed bill entitled an act regulating the time of making payments upon lands sold at the land office at Courtland, was read the third time. Mr Carmack moved that the further, consideration of the bill be postponed until Thursday week nest, which was lost . Mr Reaves moved the previous question, The question was, “Shall the call on the previous question be sustained?” and carried. The main question was then put, viz: “Shall this bill pass?” and decided in the affirmative. Yeas 36, nays 29.

The yeas and nays being demanded those who voted in the affirmative are, Messrs Coker Cook Devereux Earle Flournoy Fortson Herbert Hollis Houston of m. Hubbard Hudson of F. Keener Lee Lockhart McAfee Massey Miree Moffet Musgrove Oliver Ormond Porter Rather Reaves Rhodes Ross Rugeley Saunders Stewart Tarrant Thompson Ward Ware Weissinger Williams and Witherspoon.

Those who voted in the negative are, messrs Speaker Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Fleming Goodrich Graham Hall Hill Houston of L. Johnson Lusk Mason Morrisette Norwood Paul Richardson Scott Sumners Trotter Walker Wilson and Young.

The bill passed. Ordered, that the title be as aforesaid: Ordered, that the same be sent to the Senate for concurrence.

A message was received from the Governor, by James I. Thornton-- which is as follows: Mr Speaker, I am requested by the Governor to inform your honorable body that he did on the first instant approve and sign An act to authorize Benjamin Dunn, and his associates, to erect a toll bridge across Mulberry creek; an act to alter the time of holding the courts of commissioners of revenue and roads of Washington county, on the 4th instant; an act to amend and repeal an act entitled an act to prevent the introduction of slaves into Alabama, and for other purposes, approved 16th January, 1832; an act to make an appropriation for paying the commissioners appointed to examine the new digest; and on this day, an act to change the time of holding the county courts of Monroe county–all of which originated in the House of Representatives.

The House adjourned until to-morrow morning 9 o’clock.

Thursday, December 6, 1832–Mr Fleming from the select committee to whom was referred the bill entitled an act to incorporate the merchant’s insurance company of Huntsville, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

Mr Carmack introduced a bill to be entitled an act to provide for building a bridge across Shoal creek in the county of Lauderdale; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read on the second time forthwith and referred to the committee on inland navigation.

Mr Carithers made the following report: The committee on enrolled bills, have examined, and find correctly enrolled an act to levy a tax upon the cattle of non-residents.

Mr Young introduced a bill to be entitled an act to change the time of building the county courts of Lauderdale county; which was read the first true, and he rule requiring bills to be read the second time forthwith and ordered to be engrossed for a third reading.

Mr Fleming introduced a bill to be entitled an act amendatory of an act establishing a Branch of the Bank of the State of Alabama, in the Tennessee Valley ; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the second time forthwith. Mr Wilson moved that it be referred to

the committee on the State Bank; which was lost.  Mr Ormond moved that it be referred to a select committee —— Whereupon, messrs Fleming Wilson, Creagh, Goodrich, and Weissinger, were appointed.

A message from the Senate, by mr Morton: Mr Speaker, The Senate have passed bills of the following titles, to-wit: An act to amend an act entitled an act to incorporate Valley Creek Academy, in the county of Dallas, approved January 15th, 1829; an act for the relief of John S. Gorman; an act for the relied of the register and receiver of the land office at Courtland, an act to amend an act to incorporate and empower religious societies of every denomination, to hold real estate. They have also passed bills which originated in the House of Representatives of the following titles, to wit: An act to establish a public road from the house of David Day, in Morgan county, to Weeden's old place, in Blount county, which they have amended as herewith shewn; an act to authorize the judge of the county court and commissioners of roads and revenue, of the county of Limestone, to levy a tax for the building of a new court house, in the town of Athens, for said county, which they have amended by striking out the words "of inhabitants," in the 4th line, 3d section, an act supplemental to an act entitled an act supplemental to an act to establish a turnpike road, therein mentioned, approved January 7th, 1830, which they have amended as herewith shewn–in all of which they ask the concurrence of the House of Representatives.

The bill from the Senate entitled an act to amend an act entitled an act to incorporate Valley Creek academy, in the county of Dallas, approved January 15th, 1829, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and the rule being further dispensed with, it was then read the third time forthwith and passed ; Ordered, that the title be as aforesaid; Ordered, that the clerk acquaint the Senate therewith.

Mr Carithers made the following report. The committee on enrolled bills have examined and find correctly enrolled, a bill to repeal in part the several acts now in force in relation to the practice of medicine.

The bill from the Senate entitled an act for the relief of John S. Gorman, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time and referred to the committee on the State Capitol.

Bills from the Senate of the following titles, to-wit: An act for the relief of the register and receiver of the land office at Courtland ; and an act to amend an act to incorporate and empower religious societies of every denomination, to hold real estate, were severally read and ordered to a second reading.

Ordered, that the House concur in the amendment made by the Senate to the bill entitled an act supplemental to an act entitled an act supplemental to an act to establish a turnpike road therein mentioned, approved January 7th, 1830.

Ordered, that the House concur in the amendment made by the Senate to the bill entitled an act to establish a public road from the house of David Day in Morgan county, to Weeden's old place, in Blount county.

Ordered, that the House concur in the amendment made by the Senate to the bill entitled an act to authorize the judge of the county court and commissioners of roads and revenue, of the county of Limestone, to levy a tax for the building of a new court house, in the town of Athens, in said county: Ordered, that the clerk acquaint the Senate therewith.

Mr Tarrant introduced a bill to be entitled an act to extend the limits of the town of Columbiana ; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and the rule being further dispensed.

with, it was considered as engrossed, read the third time forthwith and passed : Ordered, that the title be as aforesaid: Ordered, that the same be sent to the Senate for their concurrence.

Mr Breedin introduced a bill to be entitled an act to incorporate the merchants insurance company, of the city of Mobile ; which was read, the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time and referred to the judiciary committee:

On motion of mr Lusk, Resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating a part of the three per cent. fund for the purpose of erecting bridges across Crow, Mud and Santa creeks, and Paint Rock river, on the stage road in Jackson county.

Ordered, that messrs Oliver and Rugely be added to the select committee appointed on the resolution introduced by mr Hall, to grant Ward Taylor for a charter for a road.

The House the proceeded to the orders of the day.

Engrossed bills of the following titles, to wit: An act to authorise David Meredith, to turnpike a certain road therein named; an act to repeal in part an act entitled an act to raise a revenue for the support of government, until otherwise altered by law, passed January 20th, 1832, an act to establish the permanent seat of justice in the county of Henry, and for other purposes; an act to explain the third section of an act entitled an act to provide for leasing sixteenth sections, &c. passed January the 1st, 1823; and an act to establish a State road from the town of Tuscaloosa, to the Mississippi State line, in the direction of Jackson, in the State of Mississippi, were severally read in the third time and passed: Ordered, that their titles be as aforesaid: Ordered, That the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to view, lay out, and mark a certain road therein specified, was read the third time. Mr Flournoy moved to amend the first section by inserting after the word “Capel,” and before the word “of,” the following, “of Fayette county, and William Wilson and Thomas Delvack:” which was adopted. The bill passed: Ordered, that the title be as aforesaid: Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act providing for the payment of petit jurors, in the county of Jackson, was read the third time. Mr Goodrich moved to amend the bill by way of the following engrossed ryder, at the end of the fourth section, “except in cases in which there is no verdict rendered by a jury;” which was adopted: the bill passed: Ordered, that the title be as aforesaid: Ordered, that the same be sent to the Senate for concurrence.

The Engrossed bill entitled an act to incorporate the Bell Factory, in the county of Madison, was, on motion of mr Hudson of F. referred to the judiciary committee.

The joint resolution requiring the Secretary of State to make indexes for the journals of each House of the General Assembly, was laid on the table.

Bills of the following titles, to-wit: An act to incorporate the Chickasawbogue Creek navigation company; an act to establish a bridge at the Fish dam ford, on Flint river, in Morgan County: an act to allow the tax-collector of Covington county, twenty-five per centum on the amount of taxes he collects for the county; an act to authorise Aurelius N. Jones, as guardian of John H.R. Jones, to remove the property of his said ward

to Lowndes county, and State of Mississippi, were severally read a second time and ordered to be engrossed for a third reading.

The bill entitles an act for the relief of the sheriff of the county of St. Clair, in certain cases, was read the second time. Mr Morrisette moved to amend the bill by adding after the word "law," the words "except as to commissioners;" which was adopted ; the bill was ordered to be engrossed for a third reading.

The bill entitled an act to exempt fifty head of cattle from taxation, and for other purposes, was read the second time and referred to the committee on ways and means.

The bill entitled an act to regulate the charges of commission merchants, agents and factors, in the city of Mobile, in this State, was read the second time and referred to the committee on propositions and grievances.

The bill entitled an act to authorise George W. Cook to emancipate a certain slave, was read a second time and referred to the committee on emancipation.

The bill entitled an act to provide for the appointment of commissioners, without this State, to take testimony, &c., was read the second time and referred to the judiciary committee.

The bill entitled an act to repeal an act entitled an act to authorise Jos. G. Garnett and James W. Hill, of Madison county, to build a mill on the river Paint Rock, in said county, approved January 20thm 1832, was read the second time and referred to the committee on inland navigation.

Mr Mason moved that the orders of the day be suspended; which was agreed to.

On motion of mr Herbert, Resolved, That the door keeper be instructed, after adjournment, to remove the desks, and arrange the Hall of this House, preparatory for the ceremonies of to-morrow.

Mr Mason moved that the House adjourn until to morrow morning nine o'clock, which was lost. Yeas 32, nays 32.

Those who voted in the affirmative are, Messrs Speaker Breedin Brodnax Chamberlain Coker Cook Davis Devereux Earle Fleming Goodrich Graham Hall Johnson Keener Lee McAfee Massey Mason Miree Moffett Musgrove Norwood Paul Perkins Rather Reave Richardson Rugely Saunders Thompson and Ward.

Those who voted in the negative are, Messrs Brickell Carmack Carithers Creagh Drish Fortson Herbert Hill Hollis Houston of L. Houston of M. Hudson of F. Hudson of J. Lockhart Morrisette Oliver Ormond Porter Rhodes Ross Scott Simmons Stewart Sumners Tarrant Trotter Walker Ware Weissinger Williams Wilson and Young.

On motion of mr Ross, Resolved, that the committee on the State Bank be instructed to inquire into the expediency of establishing some uniform practice between the mother and branch banks, so that when a name on a note or bill of exchange, in one bank, is under protest, the same may be made known to the other bank; and that they report by bill or otherwise.

Mr Hudson of F. introduced a joint resolution appointing commissioners to adjust and settle the claims of the trustees of the University, against certain persons, for which lands have been forfeited to said trustees, which was read the first time, and the question being put, Shall the resolution be read the second time.

The House adjourned until to-morrow morning 9 o'clock.

Friday, December 7, 1832–Mr. Hudson of F. presented the account of Casewell C. Thompson; which was read and referred to the committee on accounts.

Mr Goodrich presented the account of David Rickett, of Jackson coun-

ty, which was read and referred to the committee on propositions and grievances.

Mr Brickell from the committee on State printing to whom was referred a resolution instructing the them to inquire into the expediency of providing for the printing of an additional number of the acts and journals, reported that under existing circumstances it is inexpedient to legislate on the subject, and ask leave to be discharged from the further consideration of the resolution.

Mr Ormond moved that all business before the House be postponed until to-morrow, which was carried.

Mr Herbert moved that the House adjourn until 10 o'clock, a.m.-- which was carried. All business of the House being suspended, the House stands adjourned until to-morrow morning 9 o'clock.

Saturday, December 8, 1832–Mr Lockhart presented the petition of sundry citizens of Green and Marengo counties, praying to abolish a certain part of a road therein mentioned ; which was read and referred to the committee of roads, bridges and ferries, to consider and and report thereon.

Mr Perkins presented the petition of sundry citizens of the village of Kentucky in the county of Tuscaloosa; which was read and referred to the committee on privileges and elections.

Mr Weissinger presented the account of the sheriff of Perry county-- Mr Breedin presented the account of Samuel G. Swift, assistant adjutant general. Mr Moffett presented the account of the sheriff of Greene county. They were severally read and referred to the committee on accounts.

Mr Herbert presented the petition of Susanah Wade, a citizen of Dallas county, praying the passage of a law to emancipate a certain slave therein, named; which was read and referred to the committee on emancipation.

Mr Herbert presented the petition of sundry inhabitants of Dallas and Perry counties, praying that the residence of a certain Moses Davis, be attached to Dallas county; which was read and referred to the delegation of said counties.

Mr Rhodes from the committee on the State Bank, to whom was referred a resolution inquiring into the expediency of changing the time of notes falling due to said Bank, reported, that it is inexpedient to legislate upon that subject at this session of the legislature; in which report the House concurred.

Mr Rather from the committee consisting of the delegation of Morgan and Lauderdale counties, to which was referred the bill from the Senate entitled an act to change the time of holding the county court of Morgan county, reported the same without amendment; it was ordered to a third reading.

Mr Rather from the select committee to which was referred the bill entitled an act to provide for taking the census in the year 1833, reported the same without amendment, and recommend its passage, and the rule requiring bills to be read on three several days being dispensed with, it was forthwith read the third time and passed: Ordered, that the title be as aforesaid: Ordered, that the clerk acquaint the Senate therewith.

Mr Rather from the select committee to which was referred the bill from the Senate entitled an act to provide for taking the census of the State of Alabama, reported the same without amendment. Mr Rather moved that the bill lie on the table; which was carried.

Thomas K. Beck, a representatives from the county of Wilcox, appeared, was qualified and took his seat.

Mr Ormond from the judiciary committee, to whom was referred a resolution instructing them to inquire into the expediency of allowing sheriffs

in whose hands executions from other counties are placed, to make returns to the county from which they issued, reported a bill to be entitled an act for the relief of sheriffs in distant counties; which was read and ordered to a second reading.

The same committee to whom was referred a bill entitled an act conferring certain powers on the mayor or intendant and constable of the town of Bellefont, reported the same without amendment. Mr Norwood moved that the bill be referred to the select committee, to which is referred the petition on that subject; which was carried.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of amending the patrol laws of the State, so as to render them effective, reported a bill to be entitled an act for the better regulation of patrols; which was read and ordered to a second reading.

The same committee to whom was referred the petition of David Green, reported that the repeal of the law referred to in said petition, renders it unnecessary to act upon it, and pray to be discharged from the further consideration thereof ; which was granted.

The same committee to whom was referred the bill entitled an act defining the liability of endorsers, and for other purposes, approved January 15th, 1828, reported the same without amendment; the bill was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill entitled an act more particularly to define the duties of Secretary of State, in relation to the arrangement of the acts of the General Assembly, reported the same without amendment; the bill was ordered to be engrossed for a third reading.

The same committee to whom was referred a resolution requesting them to enquire into the expediency of repealing the act entitled an act amendatory of the several acts concerning witnesses, reported that it is not expedient to legislate on the subject; in which report the House concurred.

The same committee to whom was referred a resolution instructing them to inquire into the constitutionality of allowing to each county in the State, a separate representation, reported, that each of the counties which had an existence at the time of the formation of the Constitution, is entitled to a separate representation; but that any county created since, and carved out of other counties, is not entitled to a separate representation, unless it has the requisite number of inhabitants. Mr Devereux moved that the report lie on the table; which was carried.

The same committee to whom was referred the petition of Thomas Brown, reported a bill to be entitled an act authorising Thomas Brown to enter a certain tract of land therein named; which was read and ordered to a second reading.

Mr Moffett from the select committee to whom was referred the bill entitled an act to incorporate the Daletown and Greensborough rail-road company, reported the same without amendment: Ordered, that the bill lie on the table.

Mr Moffett from the select committee to whom was referred the bill from the senate entitled an act to incorporate the Daletown, Woodville and Greensborough rail-road company, reported the same without amendment ; the bill was ordered to a third reading.

Ordered, that mr Flournoy have leave of absence for the next week.

Ordered, that mr Fortson have leave of absence for the day.

On motion of mr Herbert, Resolved, that the committee of arrangements to whom was entrusted the selection of an orator for the 7th instant, be requested to wait on the Rev. Mr Hilliard, and obtain a copy of his Ad-

dress for publication.

Mr Rhodes offered the following resolution: Resolved, that with the concurrence of the senate the two Houses will convene on this day, at 12 o'clock, for the purpose of electing a solicitor for the fifth judicial district: Ordered, that said resolution lie on the table.

Mr Ormond moved to take up the resolution from the senate proposing to adjourn on the 20th inst. which was lost.

Mr Rather introduced a bill to be entitled an act to authorise Henry Stovall to build a mill on Flint river, in Morgan county; which was read and ordered to a second reading.

Mr Houston of L. presented the petition of sundry inhabitants of Lauderdale county, on the subject of emancipating slaves; which was read and referred to the committee on emancipation.

Mr Chamberlain introduced a bill to be entitled an act to amend the charter of the city of Mobile; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read a second time forthwith and referred to a select committee–Whereupon, messrs Chamberlain, Breedin and Creagh, were appointed said committee.

On motion of mr Houston of M.; Resolved, that the committee on inland navigation, be instructed to inquire into the expediency of appropriating a portion of the three per cent. fund to clearing out the obstructions of Flint river, in Morgan county.

Mr Perkins introduced a bill to be entitled an act to establish an additional election precinct in the county of Tuscaloosa; which was read, the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to the committee on privileges and elections.

Mr Porter introduced a bill to be entitled an act for the regulation of wharf owners, in the city of Mobile, by requiring them to keep seals and weights on their wharfs, which was read and ordered to a second reading.

Mr Ware introduced a bill to be entitled an act relating to duties of executors and administrators; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was then ordered to be read the second time forthwith and referred to the judiciary committee to consider and report thereon.

Mr Paul introduced a joint resolution authorizing the Secretary of State to subscribe for----------copies of a map of the State of Alabama, about to be published by John Lattourette; which was read the first time, and the rule requiring bill and joint resolutions to be read on three several days being dispensed with, the resolution was read the second time forthwith an ordered to be engrossed for a third reading.

Mr Houston of M. introduced a bill to be entitled an act to repeal in part an act entitled an act to raise revenue for the support of government, until otherwise altered by law, approved January 13th, 1827, which was read and ordered to a second reading.

Mr Lockhart introduced a bill to be entitled an act to authorise the executors of Guilford Cade, to prove the last will of the deceased, in the cir cuit court; which was read and ordered to a second reading.

Mr Flournoy called up the resolution introduced by mr Rhodes, proposing to go into the election of a solicitor of the fifth judicial circuit. Mr Flournoy moved to amend it by adding "and also a comptroller and treasurer of the State; which was adopted. The resolution as amended was then adopted: Ordered, that the clerk acquaint the senate therewith.

Mr King made the following report. The joint committee on both houses

of the General Assembly, appointed to examine the accounts, vouchers, and books of the office of the Comptroller and Treasurer, have performed the duty assigned them, and beg leave to report, that they have first examined the books, vouchers, and accounts of both offices, from the 26th day of November, 1831, up to the 26th day of November, 1832, the date of their annual reports. By comparing the vouchers in the Comptroller's office with the law authorizing their payment, and by comparing them with the Comptroller's books, and the warrants issued thereon. They also compared the books of the Comptroller and Treasurer, and all the vouchers in the Treasurer's office with his books. The additions of the books in bot offices were examined with great care, and were found to be minutely correct. The books appear to have been kept in the neatest and best manner, and the vouchers have been correctly filed. The cash in the Treasury, in cluding $135, in Fayetteville money;$3 12 ½ in Treasury notes, was found to be $56,877 63 3/4, on the 26th day of November, 1832; which was evidenced to us by the amount deposited in Bank on that day. Your committee consider it due to those officers, to acknowledge the facility afforded by them in the examination, and the promptness with which every inquiry was answered. The same mode of examination was pursued as regards the University fund; and up to the same date, the amount in the Treasury was found to be $3,886 11. They also found that there had been paid into the Treasury $26, 081 11 of three per cent. fund, for which stock has been taken. There also remains $ 407 12 ½ of the seat of government fund. The $ 3 12 ½ of Treasury notes were destroyed by the committee.

RICHARD B. WALTHALL,
Chairman on the part of the Senate.
HENRY KING, Chairman
On the part of the House of Representatives.

Ordered, that said report lie on the table.

Mr Hudson of F. asked leave to withdraw the resolution introduced on the 6th inst. on the subject of the University lands; which was granted.

Ordered, that the House concur in the report made on yesterday, by mr Brickell, by discharging the committee.

The House then proceeded to the ordered of the day.

Engrossed bills of the following titles, to wit: An act to establish a bridge at the Fish dam ford, on Flint river, in Morgan county; an act to change the time of holding the county courts of Lauderdale county' an act to incorporate the Chickasawbogue Creek navigation company, an act to allow the tax collector of Covington county, twenty-five per centum on the amount he collects for the county; and an act to authorize Aurelius N. Jones, as guardian of John A.R. Jones, to remove the property of hid said ward to Lowndes county, State of Mississippi, were severally read the third time and passed: Ordered, that the titles be as aforesaid; Ordered, that the same be sent to the Senate for their concurrence.

A message from the Senate, by mr Morton; Mr Speaker; The Senate have passed a bill entitled an act to appropriate a part of the three per cent fund to improve the navigation of Paint Rock river, in which they ask the concurrence of you honorable body.

The bill from the Senate entitled an act to appropriate a part of the interest of the three per cent. fund, to improve the navigation of Paint Rock river, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith and referred to the committee on inland navigation.

The engrossed bill entitled an act for the relief of the sheriff of St. Clair

county, in certain cases, was read the third time and passed. Mr Ormond moved to amend the title of the bill by striking therefrom the words “in certain cases;” that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to incorporate the merchant’s insurance company, of Huntsville, was referred to the judiciary committee.

The bill entitled an act to alter and define the boundaries of the county of Baldwin, was read a second time and referred to a select committee, consisting of messrs Porter, Hall and Breedin.

The bill entitled an act to locate the judge of the county court of Blount county, was read the second time. Mr Devereux moved to amend it by inserting the words “and Covington,” so that it will read judges of the county courts of Blount and Covington counties; which was adopted. The bill was referred to a select committee, consisting of Musgrove, Devereux and Ormond.

The bill entitled an act to facilitate the emancipation of slaves, and provide for the colonization of free persons of color, was read the second time and referred to the committee on emancipation.

Bills of the following titles, to-wit: An act to authorise the judge of the county court and commissioners of roads and revenue, of the county of St. Clair, to alter a certain road therein named; an act for the relief of the securities to Abraham Nabors, tax-collector in Shelby county, in 1829; an act to repeal in part and amend an act to regulate the rate of interest, passed December 17th, 1819, an act to provide for the appropriation of the nett proceeds of the funds arising from the sales of the sixteenth sections: an act the better to secure the funds of the University of Alabama, an act to prohibit the public lecturing on the subject of colonizing the free blacks, and for other purposes; an act providing for the completion and enclosure of the State Capitol, and other purposes —— were severally read the second time and ordered to be engrossed for a third reading.

Bills of the following titles, to-wit; An act to repeal a law imposing tax on cattle; and an act relinquishing to the city of Mobile, certain duties on sales at auction, to be applies to certain purposes —— were severally read the second time and ordered to be engrossed for a third reading.

Bills of the following titles, to-wit: An act to repeal a law imposing tax on cattle; an act relinquishing to the city of Mobile, certain duties on sales at auction, to be applied to certain purposes —— were severally read the second time and referred to the committee on ways and means.

A bill from the Senate entitled an act to establish a State road from the town of Tuscaloosa, to the town of Montgomery, was read the second time and referred to the committee on roads, bridges, and ferries.

The bill from the Senate entitled an act to reduced the damages on bills of exchange, purchased by the Bank of the State of Alabama, or either of its Branches, was read the second time and referred to the committee on the State Bank.

Bills from the Senate of the following titles, to-wit: An act supplemental to an act to authorise James Doran to emancipate certain slaves therein named, approved January 20th, 1832; and an act to emancipate certain slaves therein named —— were severally read a second time and referred to the committee on emancipation.

The bill from the Senate entitled an act to repeal in part an act, passed January 12th, 1827, entitled ana ct to reduce into one, the several acts concerning roads, bridges, ferries and highways, was read a second time and referred to the committee on roads, bridges and ferries.

The bill from the Senate entitled an act to simplify sciri facias in criminal

cases, and for other purposes, was read the second time and referred to the judiciary committee.

The bill from the Senate entitled an act to incorporate the Sommerville

Female Seminary, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith and passed : Ordered, that the title be as aforesaid Ordered, that the clerk acquaint the Senate therewith.

Mr Porter who voted in the majority on referring the bill from the Senate entitled an act to repeal in part an act, passed January 12th, 1827, entitled an act to reduce into one, the several acts concerning roads, bridges, ferries and highways, moved to reconsider the vote; which was carried-- the bill was then referred to a select committee, consisting of messrs Porter, Cook, and Moffett, to consider and report thereon.

The bill entitled an act to establish an academy of learning, at Blountville, Blount county, was read the second time and referred to the committee on education.

A bill entitled an act to authorize an election of justice of the peace and constable, in the town of Centreville, in Bibb county, and to amend an act entitled an act to incorporate the town of Centreville, in the county of Bibb, approved January 21st, 1832, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith, considered as engrossed and passed; Ordered, that the title be as aforesaid: Ordered, the same be sent to the Senate for concurrence.

The bill entitled an act to regulate the weighing of cotton in the city of Mobile, and for other purposes, was read the second time. The question was on ordering the bill to a third reading.

The House adjourned until Monday morning 9 o'clock.

Monday, December 10, 1832.–Message from the Senate, by mr Connor: Mr Speaker; The Senate have passed a bill from the House of Representatives, entitled an act more particularly defining the powers of commissioners of roads and revenue in certain cases therein specified. They have passed bills of the following titles, to-wit: An act supplemental to an act incorporating the Tuscumbia, Courtland and Decatur rail-road company; and an act explanatory of an act, approved December 28th, 1831, to attach a portion of the fraction of the county of Pike to the county of Henry- in which they ask the concurrence of your honorable body.

The bill from the Senate entitled an act supplemental to an act incorporating the Tuscumbia, Courtland and Decatur rail-road company, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to a select committee, consisting of messrs Ormond, Hubbard, and Hudson of F.

The bill from the Senate entitled an act explanatory of an act, approved December 28th, 1831, to attach a portion of the territory of the county of Pike to the county of Henry, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read a second time forthwith and referred to the delegation of Pike and Henry counties.

Mr McAfee presented the petition and account of Terry Riddle, sheriff of Hamilton county, in the State of Tennessee; which was read and referred to the committee on accounts.

Mr Norwood presented the petition of sundry inhabitants of Jackson county, praying to divide the first regiment of Alabama, in said county; which was read and referred to the military committee.

Mr Ormond from the judiciary committee to whom was referred the bill from the Senate entitled an act to authorize the judges of the supreme court.

to grant certain writs therein mentioned, reported it to the House with the following amendment; strike out the words “and certiorari,” and insert the word “and” before the word “supercedes,” which was adopted; the bill was ordered to a third reading.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of so amending the penal laws of the State, as to authorize the trials of assaults and batteries, and other offences of a minor character, by two justices of the peace and the judge of the county court, with the aid of a jury of twelve respectable freeholders or house-holders, reported that it is inexpedient, and for their reasons beg leave to refer to a report they have already made on the same subject. Mr Norwood moved that the report lie on the table; which was carried.

The same committee to whom was referred the bill from the Senate entitled an act concerning dower, reported that it is inexpedient to legislate on the subject; that the first section of the bill contemplates that the wife shall not be entitled to dower, except of lands, of which the husband may be seized at the time of his death, thus making the relinquishment of the wife to all lands which the husband may sell during the coverture, unnecessary. The second section has already been provided for by a bill which has passed the House during the present session; in which report the house concurred.

The same committee to whom was referred the petition of William H. Hallett, J. Bates, and others, citizens of Mobile, reported a bill to be entitled an act for the relief of the judge of the county court of Mobile county; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith. Mr. Ormond moved to amend the bill by striking out the words “five hundred” to insert the words “seven hundred and fifty;” which was carried; the bill was ordered to be engrossed for a third reading.

The same committee to whom was referred the engrossed bill entitled an act to incorporate the Bell Factory, in the county of Madison, reported sundry amendments; which were concurred in; the bill was ordered to a third reading.

Mr Creagh made the following report: The committee on ways and means to whom was referred the bill to be entitled an act to establish a Penitentiary in the State of Alabama, have had the same under consideration, and have instructed me to report: That the State has ample means at its disposal for carrying into immediate effect the object embraced in said bill. From the report of the cashier of the State Bank, it appears that the nett gains to the state from that institution, during the last year, was fifty-eight thousand and thirty seven dollars and seventy-five cents-- Heretofore the gains from the Bank has been passed to the revenue fund and vested as capital stock, until that fund now in Bank amounts to two hundred and fifty two thousand eight hundred and twenty dollars fifty three and a half cents. This fund should remain undisturbed, but when we recollect that during this winter the legislature has established two Branch Banks, with a capital of three millions, and added five hundred thousand dollars to another, there can certainly be no necessity, or even propriety, of adding the gain of the last, or any subsequent year, to the capital stock of the State Bank. It is true that one hundred thousand dollars of the State stock, will fall due in a few years from the Branches, we may not only confidently expect to receive funds amply sufficient to meet this demand, and all other certificates of stock which have or may issue for the Branches, but also enough to relieve the people of this State in a few years entirely from taxation. We no not expect that the Branches, or even the State Bank, will make as large profits on their capital as the State Bank has heretofore declared: But it would certainly be a safe calculation to expect an annual gain from these sources, of one hundred and fifty thousand dollars. In making this estimate, the committee is aware that it is proposed to give all the funds in the Bank their proportion of the nett gains. Should this be done, the gain to the State from

its stock in the State Bank alone, may be safely estimated at upwards of forty thousand dollars per annum, a sum much larger that it would be necessary to expend in any one year towards the establishment of a Penitentiary. They are also aware that the legislature has it in contemplation to reduce the taxes; this object can also be effected from a prospective estimate of the receipts and disbursements for the year 1833, made by the Comptroller. It appears that the receipts from the present rate of taxes, will exceed the disbursements by eleven thousand and thirty-four dollars twelve and three-fourth cents. The taxes may be reduced this amount, which will be more that an eighth, without interfering with the object contemplated by the bill. The committee are therefore of opinion, that ample funds can be reserved for the payment of State stock, as it becomes due; that all the funds in the State Bank may be allowed their proportions

of the nett profits from banking, that the taxes may be reduced one-eighth this year, and the same amount in each subsequent year, until they shall cease to exist; and still the State will have ample means at is disposed for carrying on the contemplated work. The committee are also of opinion that the feelings of the people of this State are far in advance of our laws; that while the latter exhibit all the ferocity and blood thirsty disposition of the age in which they originated, the former share all the mildness peculiarly characteristic of the present. It is owing to this circumstance that our cruel and sanguinary laws are so seldom enforced. It is not from a disposition to see crimes go unpunished, to see vice and immortality daringly, impudently, obtruding themselves into the walks and assemblies of the orderly and the good; but it is because the laws are son framed that they cannot punish offenders without doing violence to their feelings, more painful that even to permit such scenes. It is the opinion of the committee that the establishment of a Penitentiary is the only way by which crimes can be properly graduated, and punishments inflicted, in accordance with the feelings of the people of this State. There is one other circumstance deserves some consideration. It appears from the Comptroller's report that the sum of four hundred and thirty-four dollars and twenty-six cents, was expended during the last year from apprehending, prosecuting, victualing and removing offenders. By the establishment of a Penitentiary. Not only a large portion of this sum might be saved annually, but from the experiments made by other States, we might reasonably expect to derive a considerable revenue. Did it hold out no other advantages than the making criminals furnish the means for punishing themselves, and thereby saving the innocent part of the community from this burden, it would be well deserving the consideration of the legislature. But this view of the subject has but little weight when compared with the great and lasting benefits that must result from its establishment. In the above opinions the committee are unanimous. A majority of the committee, although they join in the above opinions, and although they believe the establishment of a Penitentiary in this State would do much good to the present and all future generations, yet they do not believe that it would be good policy to establish it at this session of the legislature. They not only believe that a law should be good, that the condition of society should require it, but that in a government like ours, where the people can make and unmake, at pleasure, that they should become sensible of its importance, and demand its passage, when the legislature should finally act upon it, especially when that law would have so great an effect upon society as this must, and require much of both time and money before it could go into operation. Laws of such importance, in their opinion, should never be passed without a clear and well defined majority in their favor. They are well satisfied a large portion of the South has not given this subject any consideration; and although they believe their decision will be in favor of the system, they would prefer hearing their voice before they acted. I have been instructed by the committee, to submit the above opinions to the House, and to report the bill without amendment.

Mr Paul moved that the further consideration of the bill be postponed until the first day of August next: which was carried–Yeas 50, nays 14.

The yeas and nays being demanded, those who voted in the affirmative, are Messrs Speaker Beck Brodnax Carither Chamberlain Coker Creagh Davis Devereux Earle Goodrich Hall Herbert Hill Hollis Houston of L. Hubbard Hudson of F. Johnson Keener Lee Lockhart Lusk M'Afee Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Porter Reaves Ross Rugley Saunders Simmons Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams Wilson and Witherspoon.

Those who voted in the negative are messrs Breedin Brickell Camp Carmack Fleming Graham Houston of M. Hudson of J. King Rather Rhodes Richardson Trotter and Young.

Mr Breedin from the judiciary committee to whom was referred the bill entitled an act to incorporate the merchant's insurance company, of the city of Mobile, reported the same as amended, by adding a proviso to the 9th section: which was adopted. The bill was ordered to be engrossed for a third reading.

Mr Devereux made the following report: The committee on enrolled bills have examined, and find correctly enrolled, bills of the following titled, to-wit: An act to authorize the judge and commissioners of roads

and revenue, of Limestone county, to levy a tax for the building of a new court house at Athens, in said county; an act to establish a public road in Morgan county, an act supplemental to an act entitled an act supplemental to an act to establish a turnpike road therein named.

Mr Brodnax from the committee on roads, bridges and ferried, to whom was referred the bill entitled an act for the relief of Ludwell W. Taylor, and others, reported the same as amended, by adding thereto an additional section, which was adopted. The bill was ordered to be engrossed for a third reading.

Mr Musgrove from the select committee to whom was referred the bill entitled an act to locate the judges of the county courts of Blount and Covington counties, reported sundry amendments; which was concurred in---- the bill was ordered to be engrossed for a third reading.

Mr Ormond made the following report: The select committee to whom was referred so much of the Message of the Governor, as relates to the Tariff, to the principle of Protection, and to the

doctrine of Nullification have had the same under consideration, and have instructed me to report a preamble and resolution, which they have respectfully submit to the House for its adoption- Your committee deeply impressed with the present alarming crisis in our history, have give to the subject that profound consideration which its paramount importance so justly demands. So much has been said and written on the subjects submitted to them, that they maybe sued to be exhausted; find they will therefore submit a very few brief remarks prefatory to the resolutions, which they recommend to the adoption of the House. In a country of such vast extent, as the United States, embracing such variety of soil, climate, and products, and inhabited by a people whose pursuits are as various as the climate under which they live. Any attempts on the part of the government to force manufactures into existence by governmental bounties, must of necessity, operate unequally, and therefore be injust. If it be a truth not now to be questioned, that no government can justly take from one portion of its citizens a part of their profits to benefit another, it is especially unjust in a country like ours , composed of different States who are united in one common bond only for the purpose of providing for the common defense, of promoting the general welfare, and securing the blessings of liberty to themselves and their posterity, for these purposes this Union was formed, and it cannot be supposed that these who consented to it , intended by implication and construction, to confer on the general government powers destructive of their happiness and best interests. Laws having this operation and professing to derive their authority, from the Constitution under which we live, being opposed to the true interests of every section of the republic, and unjust in their operation on the Southern States, even it sustained by the letter of the Constitution, are contrary to its spirit and at war with the general scope and tenor of that instrument. It cannot be believed that if the framers of the Constitution had designed the exercise of such a power, as the right to create and protect domestic manufactures by a system of high duties, that it would have been left to interference or implication. Its framers therefore could not have intended that such a power should be exercised. This reasoning is founded on, and these results drawn from the instrument itself. But in addition thereto, contemporaneous history informs us that in the Convention which framed the Constitution, it was proposed in various modes to give that power to Congress, and refused. It is the exercise of this power which a large majority of the South believe to be against the spirit of the Constitution and no inconsiderable number, contrary to its express letter, which had driven them to consider the government as foreign to their interests, and alien to their feelings, instead of looking up to it with pride and veneration, as the world's last hope, and as the favorite resort of freedom, no inconsiderable portion of the South have begun to estimate its value, and to contemplate even disunion itself, as an evil less formidable that submission to the exactions of the government; and now at this fearful crisis, when no one of our co-States has assumed the tremendous attitude of declaring an act of Congress void within her limits, and the note of preparation is sounded to sustain this attitude by force, what shall America do? Our answer is, never despair of our country. We believe that there is a vital energy, a living principle inherent in our institutions, and a sense of justice residing in the bosom of our fellow citizens, which, when properly appealed to, must succeed. We concede that our Northern brethren believe that they are acting within the pale of the Constitution; but can it be believed that they will, by insisting on the obnoxious duties, peril the Union of these States, and make shipwreck of the last hope of mankind? Can any pecuniary benefit compensate for results like these? If blood be shed in this unhallowed contest, a wound will be inflicted which may never be healed. To confidence will succeed distrust, mutual recriminations and mutual injured, and the choicest blessings of Heaven, by the madness and felly of man, will be converted into the most deadly poison. Deeply impressed with these views, in common, we recommend the adoption of resolutions, which we are satisfied embody the opinions of our constituents; and in their name propose to the co-States a Federal Convention.

The same committee reported joint resolutions on the Protective Policy, the Tariff and Nullification; which were read: Ordered, that the said report and resolutions lie on the table, and that two hundred copies be printed for the use of this House.

Mr Paul introduced joint resolutions on the subject of a Penitentiary system; which was read and ordered to a second reading.

On motion of mr Hall: Resolved, that the judiciary committee be instructed to inquire into the expediency of passing a law establishing a regular rate of fees for judges of the county courts, in the settlement of estates of deceased persons, with leave to report by bill or otherwise.

Mr Porter from the select committee to whom was referred the bill entitled an act to repeal in part an act to reduce into one the several acts concerning roads, bridges, ferries and highways, reported that the bill contemplated the repeal of a provision very necessary to the establishment of ferried, and that the bill should not be passed. Mr Morrisette moved that the further consideration of the bill be postponed until the first day of March next, which was carried; yeas 33, nays 30.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Beck Brickell Brodnax Coker Cook Creagh Devereux Herbert Hill Houston of L. Hubbard Keener Lee McAfee Moffett Morrisette Oliver Ormond Paul Perkins Porter Reaves Rhodes Richardson Ross Rugely Saunders Stewart Tarrant Thompson Trotter Ward Ware and Witherpsoon.

Those who voted in the negative are messrs Speaker Breedin Camp Carmack Carithers Chamberlain Davis Drish Earle Fleming Goodrich Graham Hall Houston of . Hudson of F. Hudson of J. King Lockhart Lusk Massey Miree Musgrove Rather Scott Sumners Walker Weissinger Williams Wilson and Young.

The bill entitled an act to regulate the weighing of cotton in the city of Mobile and for other purposes, was referred to a select committee consisting of messrs Herbert, Ormond, Morrisette, Breedin, and Creagh.

Mr Ormond moved to call up the resolution from the senate, proposing to adjourn on the 20th instant, which was carried: yeas 37, nays 24.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Beck Brickell Brodnax Carmack Carithers Chamberlain Coker Cook Creagh Devereux Fleming Goodrich Graham Herbert Hollis Houston of M. Hubbard Hudson of J. Lockhart McAfee Massey Miree Morrisette Oliver Ormond Porter Rhodes Richardson Ross Rugely Scott Stewart Trotter Walker Ware Weissinger and Young.

Those who voted in the negative are messrs Speaker Breedin Davis Drish Earle Hill Hudson of F. Johnson Keener Lee Lusk Moffett Musgrove Norwood Perkins Rather Reaves Saunders Sumners Tarrant Ward Williams Wilson and Witherspoon.

Mr Ormond moved to amend it by striking out the word “20,” and to insert “22,” which was carried. Mr Herbert moved that the further consideration of the resolution be postponed until Monday week next, the 24th inst.; which was carried.

Mr Trotter introduced a bill to be entitled an act to make an appropriation for removing obstructions to the navigation in the Tombecbee river, at McGrew’s shoals, which was read on the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith and referred to the committee on inland navigation.

Mr Oliver introduced a bill to be entitled an act to make it the duty of the several tax collectors, to furnish a list of the names of persons liable to work upon roads, to the clerks of the several county courts of this State; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read and the second time forthwith and referred to the committee on roads, bridges and ferries.

Mr Young introduced a bill to be entitled an act defining the duties of justices of the peace, in certain cases; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with it was read the second time forthwith and referred to the judiciary committee.

The House then proceeded to the orders of the day.

The bill from the Senate entitled an act to change the time of holding the county courts of Morgan county, was on motion of mr Rather, ordered to lie on the table.

Engrossed bills entitled an act to authorize the judge of the county court and commissioners of roads and revenue, of the county of St. Clair, to alter a certain road therein named, was read th third time and passed--Ordered, that the title be as aforesaid: Ordered, that the same be sent to the senate for concurrence.

Engrossed bill entitled an act providing for the completion and enclosure of the State Capitol, and other purposes, was read the third time. mr Williams moved to fill the blank with $ 3,110; which was lost—Yeas 19, nays 45.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Breedin Brickell Chamberlain Drish Earle Hubbard Hudson of F. King Ormond Paul Perkins Rather Rhodes Richardson Scott Williams Wilson and Witherspoon.

Those who voted in the negative are messrs Beck Brodnax Camp Carmack Carithers Coker Cook Creagh Davis Devereux Fleming Goodrich Graham Hall Herbert Hill Hollis Houston of L. Houston of M. Hudson of J. Keener Lee Lusk McAfee Massey Miree Moffett Morrisette Musgrove Norwood Oliver Porter Reaves Ross Rugley Saunders Simmons Sumners Thompson

Trotter Walker Ward Ware Weissinger and Young.

Mr Drish moved to fill the bank with $2000; which was lost. Mr Williams moved to fill the blank with $ 1840; which was carried–Yeas 36, nays 31.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Back Breedin Brickell Camp Carithers Chamberlain Creagh Davis Drish Hall Houston of L

Houston of M. Hubbard Hudson of F. Johnson Keener King Lockhart Moffett Oliver Ormond Paul Perkins Rather Rhodes Richardson Scott Sumners Thompson Trotter Walker Williams Wilson Witherspoon and Young.

Those who voted in the negative are messrs Brodnax Camp Coker Cook Devereux Earle Fleming Goodrich Graham Herbert Hill Hollis Hudson of J. Lee Lusk McAfee Massey Miree Morrisette Musgrove Norwood Porter Reaves Ross Rugely Saunders Simmons Tarrant Ward Ware and Weissinger.

The bill passed. Mr Hudson of F. moved to amend the title of the bill by striking out the words “and enclosure;” which was adopted. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for concurrence.

A message from the Senate, by mr Morton: mr Speaker; the Senate concur in the resolution of the House of Representatives, proposing to go into the election of a Solicitor of the 5th judicial circuit, and a Comptroller and Treasurer, of this State, this day, at 12 o’clock; and have amended the same by striking out the word “twelve,” and inserting “two;” in which they ask the concurrence of the House of Representatives: Ordered. that the House concur in the amendment made by the Senate to the resolution: Ordered, that the clerk acquaint the Senate therewith.

And then the House adjourned until two o’clock, this evening.

Evening Session. 2 o’clock– Mr Rugely introduced a bill to be entitled an act to provide for the printing of an additional number of laws and journals; which was read the first time. and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the second time forthwith and referred to the committee on State printing.

Mr Paul introduced a bill to be entitled an for general relief on the subject of dueling; which was read the first time, and the rule requiring bills to be read on three several days being dispenses with, it was read the second time forthwith and referred to the judiciary committee.

Mr Rhodes introduced a bill to be entitled an act providing for the maintainance and education of certain persons therein named ; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to the judiciary committee.

Mr Carmack introduced a bill to be entitled an act requiring security for costs in certain cases ; which was read and ordered to a second reading.

On motion of mr Hudson of F., Resolved, that the Senate be now invited to assemble in the Representative Hall for the purpose of going into the election of a Solicitor of the 5th judicial circuit, a Comptroller, and State Treasurer. Ordered, that the clerk acquaint the Senate therewith.

The Senate having repaired to the Hall of the House of Representatives and taken their seats, the two Houses proceeded to the election of a Solicitor of the fifth judicial circuit of the State of Alabama–Charles Lewis, William Acklen and John C. Thompson being in nomination.

Those who vote for mr Lewis are Messrs President Barclay Hogan and Smith of the Senate Messrs Hollis Lockhart Lusk Norwood and Weissinger.

Those who voted for mr Acklen are Messrs Anderson Ash Bridges Dupuy Edmondson Erwin of G. Hill McVay Phillips Pickett and Vining of the Senate. Messrs Speaker Beck Brickell Camp Carithers Creagh Davis Drish Earle Fleming Graham Hall Hill Houston of L. Hudson of J. King McAfee Massey Moffett Musgrove Perkins Rather Reaves Sumners Tarant Trotter Williams and Witherpsoon.

Those who voted for mr Thompson are Messrs Abercrombie Chapman Coopwood Hemphill Irwin of H. Morton and Walthall of the Senate. Messrs Breedin Brodnax Carmack Chamberlain Coker Cook Devereux Herbert Houston of M. Hubbard Hudson of F. Keener Lee Mason

Stewart Walker Ward Ware and Wilson.

Mr Goodrich voted for Mr Scruggs.

No one on the candidates having received a majority of votes, the two Houses proceeded again to the election.

Those who voted for Mr Lewis , are Messrs President and Barclay of the Senate, Messrs Hollis Lusk and Norwood.

Those who voted for mr Acklen are messrs Anderson Ash Bridges Dupuy Edmondson Erwin of G. Hill Hogan McVay Phillips Pickett Smith and Vining of the Senate. Messrs Speaker Beck Brickell Camp Carithers Creagh Davis Drish Earle Fleming Graham Hall Hill Houston of L Hudson of J. King Lockhart McAfee Massey Moffett Musgrove Perkins Rather Reaves Sumners Tarrant Trotter Weissinger Williams and Witherspoon.

Those who voted for mr Thompson, are messrs Abercrombie Chapman Coopwood Hemphill Irwin of H. Morton and Walthall of the Senate. Messrs Breedin Brodnax Carmack Chamberlain Coker Cook Devereux Herbert Houston of M. Hubbard Hudson of F. Keener Lee Maso Miree Oliver Ormond Paul Porter Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Thompson Walker Ward Ware and Wilson.

Mr Goodrich voted for Mr Scruggs.

No one of the candidates having received a majority of votes, the two Houses proceeded again to the election.

Those who voted for Mr Lewis are Messrs President and Barclay of the Senate. Mr Lusk of the House.

Those who voted for Mr Acklen are messrs Anderson Ash Bridges Dupuy Edmondson Erwin of G. Hill Hogan McVay Phillips Pickett Smith and Vining of the Senate. Messrs Speaker Beck Brickell Camp Carithers Creagh Davis Drish Earle Fleming Graham Hall Hill Houston of L. Hudson of J. King Lockhart McAfee Massey Moffett Morrisette Musgrove Norwood Perkins Rather Reaves Sumners Tarrant Trotter Weissinger Williams and Witherspoon.

Those who voted for mr Thompson are Messrs Abercrombie Chapman Coopwood Hemphill Irwin of H. Morton and Walthall of the Senate. Messrs Breedin Brodnax Carmack Chamberlain Coker Cook Devereux Herbert Hollis Houston of M. Hubbard Hudson of F. Keener Lee Mason Miree Oliver Ormond Paul Porter Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Thompson Walker Ward Ware and Wilson.

Mr Goodrich voted for mr Scuggs.

William Acklen having received a majority of the votes, mr Speaker declared him duly elected Solicitor of the fifth judicial circuit, for the next ensuing four years.

The two Houses then proceeded to the election of a Comptroller of public accounts, George W. Crabb and John Brown, (red) being in nomination.

Those who voted for mr Crabb are Messrs President Abercrombie Anderson Ash Barclay Chapman Coopwood Edmondson Hemphill Hill Irwin of H. Morton Phillips Vining and Walthall of the Senate. Messrs Speaker Breedin Brickell Brodnax Carmack Camp Chamberlain Coker Cook Devereux Drish Goodrich Graham Hall Herbert Hill Hollis Houston of M. Hubbard Hudson of F. Keener Lee Lusk McAfee Massey Miree Norwood Oliver Paul Perkins Porter Rather Rhodes Ross Rugley Saunders Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams and Wilson.

Those voted for Mr Brown are Messrs Bridges Dupuy Erwin of G. Hogan McVay Pickett and Smith of the Senate. Messrs Beck Carithers Chamberlain Creagh Davis Earle Fleming Houston of L. Hudson of J. King Lockhart Mason Moffett Musgrove Ormond Richardson Scott Trotter and Witherspoon.

George W. Crabb having received a majority of votes, mr Speaker declared him elected Comptroller of public accounts for the next ensuing twelve months.

The two Houses then proceeded to elect a State Treasurer — Hardin Perkins, and Samuel B. Moore being in nomination.

Those who voted for mr Perkins are messrs President Abercrombie Anderson Ash Coopwood Dypuy Edmondson Hemphill Hill Irwin of H. McVay Morton Phillips and Walthall of the Senate. Messrs Speaker Breedin Brickell Brodnax Camp Carmack Coker Cook Creagh Devereux Drish Earle Fleming Graham Hall Herbert Hill Hollis Houston of L. Houston of M. Hubbard Hudson of F. Keener Lee McAfee Massey Miree Morrisette Musgrove Oliver Paul Perkins Porter Rather Rhodes Richardson Ross Rugely Saunders Scott Simmons Sumners Tarrant Thompson Trotter Walker Ward Ware Williams Wilson and Witherspoon.

Those who voted for mr Moore are messrs Barclay Bridges Chapman Erwin of G. Hogan Pickett and Vining of the Senate. Messrs Beck Carithers Chamberlain Davis Goodrich Hudson of J. King Lockhart Lusk Mason Moffett Norwood Ormond Stewart and Weissinger.

Hardin Perkins having received a majority of votes, mr Speaker declared him duly elected State Treasurer for the next ensuing twelve months.

The Senate then withdrew.

And the House adjourned until to-morrow morning 9 o'clock.

Tuesday, December 11, 1832–A message from the Senate, by Mr Morton: Mr Speaker; The Senate have passed bills which originated in the Senate, of the Following titles, to-wit: An act to divorce Julius Sneed from his wife Jane Eliza Sneer: an act more effectually to secure the compensation allowed by law to the jurors of Butler county ; an act farther to amend an act incorporating the town of Carrollton, approved 15th January 1831, in which they ask the concurrence of the House of Representatives.

They have also passed a bill which originated in the House of Representatives, entitled an act to extend the limits of the town of Columbiana.

Bills from the Senate of the following titles; to-wit: An act to divorce Julius Sneed from his wife Jane Eliza Sneed; and an act further to amend an act incorporating the town of Carrollton, approved 15th January 1831-- were severally read and ordered to a second reading.

The bill from the Senate entitled an act more effectually to secure the compensation allowed by law to the jurors of Butler county, was read the first time, and the rule requiring bills to be read on three several days being dispensed with the bill was read a second time forthwith, and the rule, being further dispenses with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid: Ordered, that the clerk acquaint the senate therewith.

Mr Cook presented the petition of sundry citizens of Butler county, praying the removal of their county judge; which was read and referred to the judiciary committee.

Mr Carithers presented the petition of sundry citizens of Pickens county, praying that Matthew F. Good be restored to the rites of citizenship; which was read and referred to the committee on propositions and grievances.

Mr Rhodes presented the petition of sundry citizens of Morgan county, praying to discontinue and establish an election precinct therein named; which was read and referred to the committee on privileges and elections.

Mr Davis presented the petition of sundry citizens of Bibb county, praying to establish a road from Tuscaloosa to Montgomery; which was read and referred to the committee on roads, bridges and ferries.

Mr Cook from the committee on propositions and grievances, to which was referred the bill entitled an act to regulate the charges of commission merchants, agents and factors in the city of Mobile, reported the same without amendment. mr Breedin moved that the bill be indefinitely postponed, which was lost; yeas 26, nays 35.

The yeas and nays being demanded, those who voted in the affirmative are messrs Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Drish Fleming Fortson Graham Hall Herbert Houston of L. Houston of M. Johnson Ormond Paul Perkins Rather Rhodes Richardson Saunders Trotter Wilson and Witherspoon.

Those who voted in the negative are messrs Beck Brodnax Coker Cook Davis Devereux Earle Goodrich Hollis Hubbard Hudson of F. Hudson of J. King Lee Lockhart Lusk Massey Miree Moffett Musgrove Norwood Reaves Ross Scott Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams and Young.

Mr Breedin moved to refer the bill to the judiciary committee, which was lost. mr Cook moved to amend the bill with the following; “unless there is an express agreement between such merchant, agent or factor, and the owner or seller of the cotton for a greater sum;” which was lost. The bill was ordered to be engrossed for a third reading.

Mr Ormond made the following report: The judiciary committee to whom was referred sundry petitions for guarding prisoners in Jackson and Dallas counties, have had the same under consideration and have instructed me to report, that except the sum of ten dollars for the execution of a prisoner and its incidents, and the charges for victualing three slaves in the account of the Sheriff of Dallas county, are properly chargeable to the counties of Jackson and Dallas and should not be paid out of the State Treasury; and that the charge for victualing and prisoners cannot be allowed for want of certainty; and as the supposed difficulty in these cases has arisen from some obscurity in the law now in force on this subject, they have instructed me to report a bill–In which report the House concurred.

The committee reported a bill to be entitled an act to explain and amend the several acts in relation to the guarding of prisoners where the jails are insufficient; which was read and ordered to a second reading.

Mr Goodrich from the committee on propositions and grievances, to whom was referred the petition of David Ricketts, reported a bill to be entitled, an act to compensate David Ricketts, for certain services therein named; which was read and ordered to a second reading.

Mr Ormond from the judiciary committee to whom was referred a resolution instructing them to inquire into the expediency of providing for taking the depositions of judges, &c. where their testimony is required in any of the courts of this State, reported a bill to be entitled an act to provide for taking depositions of judges of the circuit and supreme courts and other persons therein named, which was read and ordered to a second reading.

The same committee to whom was referred a bill entitled an act defining the duties of justices of the peace in certain cases, reported that it is not expedient to pass the bill. Mr Hudson of F. moved that the report lie on the table, which was carried. The bill was referred to a select committee consisting of messrs Morrisette, Hudson of F. and Young.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of amending the law in relation to coroners, reported a bill to be entitled an act prescribing the duties of coroners, which was read and ordered to a second reading.

The same committee to whom was referred the bill entitled an act to amend the law in relation to the county court judges, reported that it is highly inexpedient; in which report the House concurred.

The same committee to whom was referred the engrossed bill from the senate, entitled an act to repeal and amend an act to revise, consolidate and amend the several acts relative to justices of the peace and constables, reported the same without amendment, and recommend its passage. The bill was ordered to a third reading.

Mr Rhodes from the committee on the State bank to whom was referred the bill from the senate, entitled an act to reduce the damages on bills of exchange purchased by the bank of the State of Alabama, or either of its branches, reported the same without amendment, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the senate therewith.

The same committee to whom was referred the bill entitled an act to provide for the examination of the bank of the State of Alabama and its several branches, reported a substitute in lieu thereof, which was adopted. It was ordered to be engrossed for a third reading.

Mr Houston of M. from the committee on roads, bridges, and ferries, to which was referred a resolution instructing them to inquire into the expediency of appropriating part of the three per cent fund to making a cause way on the State road through Big creek swamp, in the county of Greene, reported that it is inexpedient to legislate on the subject, and ask the concurrence of the House. mr Moffett moved that the report lie on the table, which was carried.

Mr Creagh from the committee on ways and means to whom was referred the resolution instructing them to inquire into the expediency of revising the revenue law of the State, so as to reduce the present amount of taxation, reported a bill to be entitled an act for the reduction of the taxes, which was read and ordered to a second reading.

Mr Moffett from the committee on accounts, to whom was referred the account of Samuel W. Patton, jailor of Walker county, reported that the State is justly chargeable with the first time in said account, but that the residue is contrary to law and ought not to be allowed. They ask leave to be discharged from the further consideration of the subject, which was granted.

The same committee to whom was referred the account of Burwell.

Green, sheriff of St. Clair county, for services, rendered in holding the election and making the returns of electors of President and Vice President of the United States, reported that the sheriff is legally entitles to the compensation for holding said election, as all services of that character are embraced in his public duties for which he receives an annual salary from the county. The residue of the account is in their opinions, unreasonable, and its full amount ought not to be allowed. The recommend the allowance of twenty dollars in lieu of thirty-six dollars, the amount claimed ; in which report the House concurred.

Mr Breedin from the committee on the State Bank to whom was referred the resolution instructing them to inquire into the expediency of establishing some uniform practice between the mother Bank and branch Banks so that when the name on a note of bill of exchange in one bank, is under protest, the same may be made known to the other bank, reported a bill to be entitled an act requiring the cashiers of the Bank of the State of Alabama and the branches thereof to give notice of the protest of notes in certain cases ; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and the rule being further dispensed with, the bill was considered as engrossed and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Ward from the select committee to whom was referred the bill from the Senate entitled an act explanatory of an act attaching a portion of the county of Pike to the county of Henry, reported the same without amendment, and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the third time forthwith and passed by a constitutional majority. Ordered, that the title be as aforesaid– Ordered, that the clerk acquaint the senate therewith.

Mr Porter from the select committee to whom was referred the bill entitled an act to alter and define the boundaries of Baldwin county, reported the same without amendment, and the rule requiring bills to be read on three several days being dispensed with, the bill was considered as engrossed and read a third time and passed by a constitutional majority.— Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Fleming from the select committee to whom was referred the bill entitled an act amendatory of the act establishing a branch of the Bank of the State of Alabama in the Tennessee Valley, reported sundry amendments; which were adopted. The bill was ordered to be engrossed for a third reading.

Mr Chamberlain from the select committee to whom was referred the bill entitled an act to amend the charter of the city of Mobile, reported the same without amendment, and the rule requiring bills to be read on three several days being dispensed with the bill was considered as engrossed, read the third time forthwith, and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to Senate for their concurrence.

The House then adjourned until 3 o'clock this evening.

Evening Session, 3 o'clock,– On motion of Mr Fleming: Resolved, that the Adjutant General of the State be requested to make a communication to this House, shewing the condition of the militia of this State, and also a suitable remedy for any defects he may conceive to exist in the militia laws of this State.

Mr Norwood introduced a bill to be entitled an act providing a more summary mode for the trial of persons charged with the commission of affrays, assaults and assaults and batteries, which was read and made the special order of the day on Monday next.

Mr Hall introduced a bill to be entitled an act to improve the mail stage road through Baldwin county ; which was read and the rule requiring bills to be read on three several days being dispensed with the bill was read a second time forthwith and referred to the committee on inland navigation.

On motion of mr Musgrove: Resolved, that the committee on inland navigation be instructed to inquire into the expediency of applying one-half of the three per cent. fund in equal dividends to the several counties now established in this State, and the other half to the purposes of clearing our obstructions in such rivers as may be known to be practicable in equal proportion according to the grade of the same, with leave to report by bill or otherwise.

A message from the Senate by Mr Connor: Mr Speaker–The Senate have read three several times and passed a bill from the House of Representatives entitled an act to establish certain counties therein named.

Mr M ‘Afee introduced a bill to be entitled an act for the organization of certain counties therein named; which was read the first time and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the second time and referred to the committee on county-boundaries.

Mr Thompson introduced a bill to be entitled an act to provide for the payment of tales jurors in Fayette county; which was read the first time and the rule requiring bills to be read on three several days being further dispensed with, the bill was considered as engrossed and read a third time forthwith and passes. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Beck introduced a bill to be entitled an act to authorise the judge and commissioners of roads and revenue of Wilcox to levy a tax for buildin a jail, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time and ordered to be engrossed for a third reading.

Mr Speaker laid before the House the annual report of the Adjutant General; which was read and referred to the military committee.

The House then proceeded to the orders of the day.

The engrossed joint resolution authorizing the Secretary of State to subscribe for -----copies of the Map of the State of Alabama about to be published by John Latourette being under consideration, Mr Herbert moved that the further consideration thereof be postponed until to-morrow: which was carried.

Bills from the Senate of the following titles, to wit: An act to incorporate the Daletown, Woodville and Greensborough Railroad Company; an act to authorise the judges of the supreme court to grant certain writs therein mentioned, were severally read the third time and passed. Ordered, that the titles be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Engrossed bills of the following titles, to wit: An act to amend an act entitled an act defining the liability of endorsers and for other purposes, approved January 15, 1827; an act to repeal in part and amend an act to regulate the rate of interest, passed December 17, 1819; an act to prohibit public lecturing on the subject of colonizing free blacks and for other

purposes; an act more particularly to define the duties of the Secretary of State in relation to the arrangement and printing of the acts of each session of the General Assembly; an act to provide for the appropriation of-the nett proceeds of the funds arising from the sales of the sixteenth sections; an act for the relief of the securities of Abraham Nabors, tax collector in Shelby county in 1829; an act to incorporate the Bell Factory of the county of Madison; an act for the relief of Ludwell W. Taylor and others an act to incorporate the merchants' Insurance Company of Mobile, were severally read the third time and passed. Ordered, that their titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act the better to secure the funds of the University of Alabama, was read the third time, and the question being put, Shall this bill pass? it was determined in the affirmative; yeas 45--nays 17.

The yeas and nays being demanded those who voted in the affirmative are Messrs Speaker, Beck, Breedin, Brickell, Brodnax, Carithers, Chamberlain, Creagh, Devereux, Drish Earle, Fleming, Fortson, Graham, Hall, Herbert, Hill, Houston of L: Houston of M., Hudson of F., Hudson of J., Johnson, Keener King, McAfee, Moffett, Morrisette, Musgrove, Ormond, Perkins, Porter, Rather, Rhodes, Richardson, Rugely, Saunders, Scott, Stewart, Sumners, Tarrant, Thompson, Ware, Williams, Wilson and Witherspoon.

Those who voted in the negative are, Messrs Carmack, Davis, Goodrich, Hollis Lee Lockhart, Lusk Massey, Miree, Norwood, Reaves, Ross, Simmons, Walker, Ward, Weissinger and Young.

The bill passed. Ordered, that the title be aforesaid. Ordered, that the same be sent to the Senate for concurrence.

The engrossed bill entitled an act to locate the judges of the county courts of Blount and Covington counties, was read the third time and passed.

Mr Musgrove moved to amend the title of the bill with the following "Specifying the distance from the seat of justice that the judges of the county courts of certain counties therein named may reside;" which was adopted. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

And then the House adjourned until to-morrow morning, nine o'clock

Wednesday, December 12.–Mr Hollis presented the petition of sundry inhabitants of Marion county, praying that the sheriff of said county be authorised to do constable's business, which was read and referred to a select committee, consisting of messrs Hollis, Walker, Cook, Carmack and Houston of L.

Accounts were presented by messrs Earle and Drish; they were severally read and referred to the committee on accounts.

Mr Breedin were presented the petition of J. O. Harris, of the city of Mobile, praying to emancipate a certain slave therein named, which was read and referred to the committee on emancipation.

Mr Brickell, from the committee on the State printing, to whom was referred the bill entitled an act to provide for the printing an additional number of the laws and journals, reported a substitute in lieu thereof, which was adopted ; the bill was ordered to be engrossed for a third reading.

Mr Sumners, from the committee on roads, bridges and ferries, to who was referred the bill from the Senate, entitled an act to establish a State road from the town of Tuscaloosa to th town of Montgomery, reported sundry amendments, which were adopted, the bill was ordered to a third reading.

Mr Brodnax, from the committee on roads, bridges, and ferries, to whom

was referred the bill entitled an act to make it the duty of the several tax collectors, to furnish a list of the names of persons liable to work on roads, to the clerks of the several county courts of this State, reported that it was inexpedient to legislate on the subject ; in which report the house concurred.

The same committee to whom was referred the bill entitled an act to authorise the county courts of roads and revenue, to change State roads running through their respective counties, reported the bill without amendment, and recommend its passage. The bill was ordered to a third reading.

Mr Rather called up the resolution on the subject of the tariff; Mr Rather then moved that the resolution be referred to the committee of the whole House, and made a special order of the day for Monday next, at 11 o'clock, which was carried.

A message from the Senate by mr Morton–mr Speaker; The Senate have passed bills of the following titles, to wit: An act to authorize Daniel McDaniel and G.B. Mobley, to establish a ferry on the Tombeckbee river; an act to provide for the printing and distributing of the laws and journals of the extra session of the General Assembly of the State of Alabama, for 1832: in both of which they ask the concurrence of the House of Representatives.

Mr Porter introduced the joint resolutions on the subject of the tariff laws, which were read and made the special order of the day for Monday next. Ordered, that one hundred copies be printed for the use of this House.

The bill from the Senate, entitled an act to authorize Daniel McDaniel and G.B. Mobley to establish a ferry on the Tombeckbee river, was read the first time, and the rule requiring bills to be read on three several days being dispensed with the bill was read be second time forthwith, and made the special order of the day for its third reading on the day next.

On motion of mr Ware: Resolved, That with the concurrence of the Senate, the two Houses will convene in the Representative Hall at the hour of three o'clock this day, for the purpose of electing a president and twelve directors of the Branch Bank of the State of Alabama, at Montgomery; and also a director for the Branch Bank of the State of Alabama, located at Decatur, in place of Thomas Fearn, resigned. Ordered, that the clerk acquaint the Senate therewith.

Mr Drish made the following report: The committee on emancipation, to whom was referred various memorials, petitions, and several special bills on that subject, have had the same under examination, and have instructed me to report a general bill as a substitute for all special bills on the subject submitted to them: your committee are fully aware that there are very many peculiarly hard cases represented by petition or otherwise, which have been under their consideration, they have com to the conclusion, that as all have equal demands upon this Legislature, that all should be placed upon the same grounds. They are furthermore influenced to recommend to the consideration of this body the bill which they now present through me, from the belief that special legislation on this subject had cost the people of this State as much money as all the slaves whom they have liberated, or who may hereafter be emancipated by the legislature. Your committee respectfully ask leave to be now discharged from the further consideration of the subject; which was granted.

The committee reported a bill to be entitled an act to provide for the emancipation of slaves, and for other purposes; which was read and ordered to a second reading.

Mr Miree made the following report: The committee on enrolled bills have examined and found correctly enrolled bills to the following titles, to wit: An act to incorporate the town of Lowndesborough, in Lowndes county; an act to extend the limits of the town of Columbiana; an act authorising a lottery for the improvement of a road therein named, all of which originated in the House of Representatives.

On motion of Mr Creagh, Resolved, that the committee on emancipation be instructed to inquire into the expediency of prohibiting free negroes and mulattoes from having arms, or trading in merchandize.

Mr Wilson introduced a bill explanatory of the liability of persons to work on roads, which was read and ordered to a second reading.

Mr Hill introduced a bill to establish certain precincts therein named, which was read the first time, and the rule requiring bills to be read on three several days, being dispensed with, the bill was then read a second time forthwith, and was then referred to the committee on privileges and elections.

On motion of mr Musgrove, Resolved, that the committee on privileges and elections be instructed to inquire into the expediency of discounting the election precinct heretofore established at the house of James Anderson, sen'r., and to establish one at the house of John Anderson, and one at the house of Robert Pearce, in the county of Blount.

On motion of Mr Hudson of F. Resolved, that the committee on privileges and elections be instructed to inquire into the expediency of establishing an election precinct at the house of William Gates in the county of Franklin.

On motion of mr Ross, Ordered, that mr Beck be added to the judiciary committee.

Mr Coker introduced a bill to be entitled an act to annex a part of the county of Monroe to the county of Butler, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was then read a second time, and referred to a select committee, consisting of messrs Coker, Cook, and Porter.

Mr Devereux offered the following resolution: Resolved, that the committee on ways and means be instructed to inquire into the expediency of abolishing the tax on money loaned at interest, which was lost.

Mr Graham introduced a bill to be entitled, an act to repeal an act entitled an act amendatory of the several acts concerning witnesses, approved January 3d, 1832, so far as respects the county of Madison, which was read and ordered to a second reading.

Mr McAffee introduced a bill to be entitled an act to establish a certain county therein named, which was read, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the committee on county boundaries.

Mr Porter asked leave to be discharged from the committee on enrolled bills, which was granted.

Mr Drish, from the committee on the state capitol, to whom was referred the bill from the Senate, entitled an act for the relief of John S. Gorman, reported the same without amendment–the bill was ordered to a third reading.

On motion of mr Wilson, Resolved, that the committee on roads, bridges and ferries, be instructed to inquire into the expediency of letting the improvement, repairs and keeping of the public roads of each county in this state, out of contractors, as well as the precincts of computing the present personal service required of hands, into an assessment of money to be ap-

plied to the improvement of roads, &c., with leave to report by bill or otherwise.

A message from the Senate by mr Morton:–Mr Speaker, I am instructed to return to the House of Representatives. The bill entitled, an act to alter and define the boundaries of the county of Baldwin–the same not being in parliamentary form.

Mr Chamberlain introduced a bill to be entitled an act requiring the judges of the circuit court of Mobile county to class the cases for trial, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read a second time forthwith, and referred to the judiciary committee.

Mr Breedin introduce a bill to be entitled, an act providing for a special term of the circuit court of Mobile county, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read a second time forthwith, and ordered to be engrossed for a third reading.

Mr Graham introduced a bill to be entitled, ana ct to authorise the emancipation of certain slaves therein named, which was read the first time, and the rest was put—Shall this bill be read a second time and determined in the negative.

The House then proceeded to the orders of the day.

The bill from the Senate entitled , an act to repeal in part and amend an act to revise , consolidate and amend the several acts relative to justices of the peace and constables, passed December 27th, 1814, was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The engrossed bill entitled, an act to regulate the charges of commission merchants, agent and factors, in the city of Mobile in this State, was read the third time: Mr Lee moved the previous question–the question was, Shall the call for the previous question be sustained? and lost. Mr Saunders moved to amend the bill by way of the following engrossed rider: “Provided, nothing in this act shall be so construed, as to prevent the citizens of Dallas and Clarke counties from employing any commission merchant or merchants in the city of Mobile, to transact their business as they may think proper, and allow them such per cent. as may be agreed on by the parties.” Mr Johnson moved that the bill be indefinitely postponed, which was lost–yeas 28, nays 38.

The yeas and nays being desired–Those who voted in the affirmative are, Messrs Speaker, Breedin, Brickell, Camp, Carmack, Carithers, Chamberlain, Creagh, Drish, Fleming, Fortson, Graham, Hall, Herbert, Houston, of L. Houston, of M. Johnson, Moffett, Morrisette, Ormond, Paul, Perkins, Porter, Rather, Richardson, Saunders, Trotter and Wilson. Those who voted in the negative are, Messrs Beck, Brodnax, Coker, Cook, Davis, Devereux, Earle, Goodrich, Hill, Hollis, Hubbard, Hudson, of F. Hudson of J. Keener, Lee, Lockhart, Lusk, Massey, Miree, Musgrove, Norwood, Oliver, Reaves, Rhodes, Ross, Rugely, Scott, Simmons, Stewart, Sumners, Tarrant, Thompson, Walker, Ward, Ware, Weissinger, Williams and Young.

The question then recurred on mr Saunders’ amendment, and carried. The vote was then reconsidered, and the amendment withdrawn. Mr Cook who voted in the majority on yesterday on ordering the bill to a third reading, moved to reconsider the vote, which was carried. Mr Hubbard, who voted in the majority on rejecting mr Cook’s amendment on yesterday, moved to reconsider the vote, which was carried. The question was on the adoption of mr Cook’s amendment, by way of engrossed

ryder. Mr Lee moved to amend the amendment by inserting the words “in writing,” which was lost: the amendment was then adopted;

and the rule requiring bills to be read three several days being dispensed with, it was then read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

A message from the Senate by mr Morton: Mr Speaker, the Senate have had the bill entitled, an act to provide for the printing and distributing of the laws and journals of the extra session of the General Assembly of the state of Alabama, for 1832, put in due form, and have directed me to return the same to the House of Representatives.

The bill from the Senate, entitled an act to provide for the printing and distributing of the laws and journals of the extra session of the General Assembly of the State of Alabama, for 1832, was read and ordered to a second reading.

Engrossed joint resolution authorizing the Secretary of State to subscribe for copies of a map of the State of Alabama, about to be published by John Latourette, was read the third time. Mr Paul moved to fill the blank with the words “eighty eight,” which was lost. Mr Paul then moved to fill the blank with the word “eighty,” which was lost. Mr Porter moved to fill the blank with the words “seventy-three,” which was carried. Mr Oliver, who voted in the majority of mr Porter’s amendment, moved to reconsider the vote, which was carried. Mr Ormond then moved to amend the resolution by way of the following engrossed rider, viz: one copy for each of the States and Territories of the United States, and one for the District of Columbia, one for each of the two Houses of the General Assembly, one for each of the offices of Governor, Secretary of State, Treasurer, and Comptroller, which adopted. The resolution passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for concurrence.

Mr Hubbard, who voted in the majority on discharging the committee of emancipation this day, moved to reconsider the vote so far as relates to the bill from the Senate entitled, an act supplemental to an act to authorize James Doran to emancipate certain slaves therein named, approved January 20th, 1832, which was carried. The bill was then places among the orders of the day.

On motion of Mr Rather, Resolved, that the comptroller of public accounts be requested to furnish this House with a statement of the amount of taxes assessed in each county during the present year so far as returns have been made, and the particular sum arising from each object of taxation. The House then adjourned until to-morrow morning at 9 o’clock.

Thursday, December 13.–Accounts were presented: by messrs Hudson of F., Herbert and Creagh; they were severally read and referred to the committee on accounts. Mr Carmack presented the petition of sundry inhabitants of Lauderdale county, praying that Matthias Richardson relinquish Lot No. 11 in the town of Lexington in said county to township No. 1 Range No 8, which was read and referred to the committee on propositions and grievances.

On motion of mr Moffett, resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating part of the three per cent. fund to the improving and repairing the state road leading from Tuscaloosa to Greensborough, and particularly, that part of said fund be appropriated to the making of a causeway over said road through Big creek swamp in the county of Greene.

On motion of Mr Ormond, Resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating a por-

tion of three per cent fund to make a road from the Seat of Government to Lamb's Ferry.

On motion of mr Moffett, Resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating a part of the three per cent fund to the making of a state road leading fro Tuscaloosa to the Mississippi state line, in the direction of Jackson, which road shall cross the Tombeckbee River at some point below its junction with the Oaknoxabee river.

Mr Herbert presented the petition of sundry inhabitants of Dallas county, praying that negroes and negro quarters be under the management of white persons, which was read and referred to the committee on propositions and grievances.

Mr Herbert presented the report of the commissioners of the public ferry at Cahawba, which was read and laid on the table.

On motion of mr Ware, Resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating a part of the three per cent fun fund to the road leading from Columbus in Georgia to Montgomery in this State.

On motion of mr Rhodes, Resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating a part of the three per cent fund to the improvement of Cotaco creek in Morgan county.

On motion of mr Keener, Resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating a pro tion of the three per cent fund for the purpose of opening a road from Montecello in Pike county to Fort Mitchell in the creek nation, with leave to report by bill or otherwise.

On motion of mr McAffee, Resolved, that the committee on privileges and elections be instructed to inquire into the expediency of abolishing an election precinct heretofore established at the house of James Leslie, and establishing the following, to wit: one at the house of John H. Garrett, one at Callouga court house, one at the houses of John Bell, in Will's valley, all in the county of St. Clair, with leave to report by bill or otherwise.

The bill entitled, an act authorizing certain persons therein named to clear out and turnpike a road from Wetumpka falls to Syllacoga, was read the second time and referred to the committee of roads, bridges and ferries.

Mr King introduced a bill to be entitled, an act to establish a certain ferry therein named, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time and referred to the delegations from Madison and Morgan counties.

On motion of mr Rugely, Resolved, that the judiciary committee be instructed to inquire into the expediency of passing a law prohibiting the circulation of all notes under the denomination of five dollars, from Banks of other States.

Mr Ormond, from the select committee to whom was referred the bill from the Senate entitled, an act incorporating the Tuscumbia, Courtland, and Decatur rail road company, reported the same without amendment. Mr Houston, of L. moved that the bill lie on the table, which was lost. Mr Houston then moved to refer the bill to the committee on inland navigation, which was lost. It was ordered to a third reading.

On motion of mr Rather, Resolved, that the judiciary committee be instructed to inquire into the expediency of laving off the state into eight judicial circuits, and report by bill or otherwise.

On motion of mr Musgrove, Resolved, that the committee on privileges and elections be instructed to inquire into the expediency of discontinuing the election precinct heretofore established at the house of Samuel Johnson, and establishing one at the house of Joseph H. Posey, and one at the house of James Spencer, in Blount county.

Mr Walker introduced a bill to be entitled an act to prescribe the time of ordering the battalion musters in the 16th regiment 4th brigade and 2d division of the Alabama militia, which was read the first time, and the rule requiring bills to be read on three several days being dispenses with, it was read the second time forthwith and referred to the military committee.

On motion of mr Perkins, Resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating a part of the three per cent fund to the removal of obstructions in the Black Warrior river from the town of Tuscaloosa to its junction with the Tombeckbee river, with leave to report by bill or otherwise.

Mr Oliver made the following report: The committee on enrolled bills have examined the find correctly enrolled, an act more particularly defining the power of commissioners of roads and revenue, incertain cases therein specified.

The House then proceeded to the orders of the day.

Engrossed bills of the following titles, to wit:–An act to authorize the judge of the county court of revenue and roads of Wilcox county to levy an extra tax for the purpose of building a jail in said county. An act amendatory of an act establishing a branch of the bank of the state of Alabama in the Tennessee valley: and, an act providing for a special time of the circuit court of Mobile county, were severally read a third time and passed. Ordered, that the titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The bill from the Senate entitled, an act to establish a state road from the town of Tuscaloosa to the town of Montgomery was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The engrossed bill entitled, an act to provide for the examination of the bank of the state of Alabama:–mr Creagh moved that the further consideration of the bill be postponed until Tuesday next, which was carried.

The bill from the Senate entitled, an act for the relief of John S. Gorman:—mr Creagh moved to refer the bill to the committee on accounts, which was carried.

The bill from the Senate entitled, an act to authorize the county courts of roads and revenue to change the state roads running through their respective counties, was read the third time. Mr Creagh moved to amend it by way of engrossed ryder, which was adopted. The bill passed. Ordered, that the bill be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The engrossed bill entitled, an act to provide for the printing an additional number of acts and journals for the use of certain counties therein named:—— mr Brickell moved to postpone the further consideration of the bill till to-morrow, which was carried.

The bill entitled, an act in relation to the duties of Sheriff and Clerks was read a second time:—— mr Creagh moved to refer the bill to the judiciary committee, which was lost. Mr Scott moved to refer the bill to a select committee, which was carried ; whereupon messrs Scott, Carmack and Hubbard were appointed.

The bill entitled, an act for the relief of Thomas G. Tyus, tax collector

of Limestone county, was read a second time. Mr Richardson moved to amend the bill by way of the following proviso: “Provided, that the securities of the said Thomas G. Tyus file their consent with the clerk of the county court of said county,” which was adopted. The bill was ordered to be engrossed for a third reading.

The bill entitled, an act to regulate judicial proceedings, was read the second time. Ordered, that the bill lie on the table.

Bills of the following titles, to wit: “An act to enable sheriff’s and coroners to take recognizance in certain cases therein named: “an act regulating the time of service of the state printer;” “an act requiring officers taking the acknowledgment of deeds and relinquishment of dower, to be satisfied of the identity of the party acknowledging or relinquishing:” and “ an act for the relief of George Riggs;” were severally read a second time, and ordered to be engrossed for a third reading.

The bill entitled, an act to authorize the licensing of billiard tables, was read the second time. Mr Creagh moved the following amendment: after the word “Dallas,” strike out the words “one half of which sum shall be paid,” which was lost. Mr Porter moved the following amendment; strike out all that part which reads, “one half of which sum shall be paid into the county treasury and the other half into the treasury of the State,” and insert the words “all of which shall be paid into the county treasury,” which was lost. Mr Rather moved to amend the bill by striking out the words “three hundred” to insert “two hundred,” which was carried. Mr Hudson, of F. moved the following proviso: “Provided, that nothing in this act shall be so construed, as to prevent the county from levying a county tax,” which was adopted. The bill was ordered to be engrossed for a third reading.

The bill entitled, an act to exempt certain persons therein named from the performance of military and other duties, was read a second time. Mr Carmack moved to amend it by adding thereto, an additional section. The bill with the amendment was referred to the military committee.

The joint memorial to the congress of the United States of American, was read a second time and referred to a select committee, consisting of messrs Ormond, Musgrove, and Porter.

The bill from the Senate entitled, an act to provide for the electing of electors of president and vice president of the United States, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith, and passed. Ordered, that the bill be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The bill entitled, an act to authorize the tax collector of Monroe county to receive jury certificates in payment of taxes, was read the second time. Mr Reaves moved to amend the bill by adding the word “Pike,” after the word “Monroe,” which was carried. The bill was ordered to be engrossed for a third reading.

The bill entitled, an act to alter the wards in the city of Mobile, was read a second time. Mr Chamberlain moved that the bill be indefinitely postponed, which was lost, yeas 26, nays 28.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Brickell Camp Carmack Carithers Chamberlain Creagh Fleming Fortson Goodrich Graham Hill King Lee Lockhart Lusk Moffett Morrisette Norwood Ormond Reaves Scott Sumners Thompson Trotter Walker Weissinger and Williams.

Those who voted in the negative are, messrs Speaker Beck Breedin Broadnax Coker Devereux Drish Earle Herbert Hubbard Hudson of F. Johnson Keener M’Af-

fee Massey Miree Oliver Paul Perkins Rather Ross Rugely Saunders Stewart Tarrant Ward Ware and Wilson.

The bill was ordered to be engrossed for a third reading. And then the House adjourned until to-morrow morning 9 o'clock.

Friday, December 14.–Mr Chamberlain presented the account of Joseph Bates, jun'r. sheriff of Mobile county, which was referred to the committee on accounts.

Mr Speaker laid before the House the annual return of the quarter master general for the year 1832, which was read and referred to the military committee.

Mr Wilson introduced a bill to be entitled, an act for the relief of purchasers of sixteenth sections, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and referred to the committee on education.

Mr Broadnax introduced a bill to be entitled, an act to authorise a lottery for the benefit of building an academy at or near Statesville in the county of Autauga, which was read and ordered to a second reading.

Mr Lockhart introduced a bill to be entitled, an act for the relief of John Jackson, tax collector of Marengo county, for the year 1832, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the second time forthwith, and referred to the committee on propositions and grievances.

Mr Keener offered the following preamble and resolution: Whereas, according to an act of the present general assembly, the county of Pike has been divided; and whereas, the Sheriff, the clerk of the circuit court, the judge of the county court, the assessor and collector of taxes have by said division fallen into the county of Barbour; and whereas, the county of Barbour embraces no territory but such as belonged to the county of Pike previous to the division : Be it therefore Resolved, that the committee on the judiciary be instructed to inquire into the constitutionality of passing a special law authorising said officers to hold and continue to discharge the duties of their respective offices in the county of Barbour during the term for which they were elected in the county of Pike, which was adopted.

Mr Ormond introduced a bill to be entitled, an act to regulate the election of members to congress, which was read the first time. Mr Rather moved that the further consideration of the bill be postponed until the first Monday in August next. Mr Ormond moved a call of the House, when the following members on call of the House being made were noted as absentees, to wit: messrs Hollis, McRea, Mason, Morrisette, Oliver and Witherspoon. The further consideration of the bill was postponed for one hour.

A message from the Senate by mr Connor: Mr Speaker, the Senate have passed bills which originated in the House of Representatives, of the following titles, to wit: an act to enable Robert H. Watkins to erect a dam across the Tennessee river; an act to authorise David Meridith to turnpike a certain road therein named, and have amended the same by striking out the word "James" in the last section of the bill, and inserting in lieu thereof the word "David;" they have also amended the title of the bill, by inserting the words "to authorise" between the words "act" and "David," in which they ask the concurrence of your honorable body; an act for the relief of the tax collector of Walker county; an act for the relief of Eliza W. Baker and Angerona Crockett.

The Senate have passed bills of the following titles, to wit: an act to preclude from the office certain persons therein named; an act to provide for summoning a jury to attend the county court of Lauderdale county.

The Senate concur in the resolution of the House of Representatives, proposing to go into the election of a president and twelve directors of the branch bank of the State of Alabama at Montgomery; also a director of the branch bank at Decatur, to fill the vacancy occasioned by the resignation of Thomas Fearn, this day at the hour of 3 o'clock, P.M. and have amended the same by striking out the words "this day" and inserting in lieu thereof, the words "Monday next" in all of which they ask the concurrence of your honorable body. Ordered, that the House concur in the amendments made by the Senate to said resolution. Ordered, that the House concur in the amendments made by the Senate to the bill entitled, an act to authorise David Meridith to turnpike a certain road therein named.

Bills from the Senate of the following titles, to wit: an act to preclude from the office certain persons therein named; and an act to provide for the summoning of a jury to attend the county court of the county of Lauderdale, were severally read and ordered to a second reading.

Mr Creagh, from the committee who were elected to divide the State into congressional districts, reported a bill to be entitled, an act to divide the state into five congressional districts, which was read the first time. Mr Porter moved that the bill lie on the table, which was lost. Mr Rather moved that the bill be made the special order of the day for its second reading on Tuesday next, and that seventy five copies be printed for the use of this House. Mr Morrisette moved that the further consideration of the bill be postponed until the first day of August next, which was lost, yeas 17, nays 57.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Beck Camp Carmack Creagh Fleming Graham Hudson of J. King, Lockhart, Morrisette, Ormond Richardson Scott Tarrant Weissinger and Young.

Those who voted in the negative are, messrs Speaker Breedin Brickell Broadnax Carithers Coker Cook Davis Devereux Drish Earle Flournoy Fortson Goodrich Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Johnson Keener Lee Lusk M'Afee Massey Miree Moffett Musgrove Norwood Oliver Paul Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Stewart Sumners Thompson Trotter Walker Ward Ware Williams and Wilson.

The question recurred on mr Rather's motion and carried.

The House resumed the consideration of the bill entitled, an act to regulate the election of members to congress; the question was on mr Rather's motion to postpone the further consideration of the bill until the first Monday in August next. Mr Rather asked leave to withdraw the motion, which was granted. The bill was then made the special order of the day for a second reading on Tuesday next.

The absent members, for good cause shewn, were excused for their non-attendance on a call of the House.

Mr Creagh, from the minority of the committee of seven who were elected to divide the state into five congressional districts, having differed with the majority as to the counties which should be placed in each of the districts except the fifth, and believing their place of division well worthy the consideration of the House, and one which the House would be likely to sanction, after our examination of the map of the state–reported a bill to be entitled, an act to divide the state into five congressional districts, which was read and made the special order of the day for its second reading on Tuesday next. Ordered, that seventy five copies be printed for the use of this House.

The hour of 11 having arrived, Mr Morrisette moved to suspend the or-

ders of the day for the present, which was agreed to.

Mr Morrisette, from the select committee to whom was referred the bill

entitled an act defining the duties of justices of the peace in certain cases, reported a substitute in lieu thereof, which was adopted. The bill was ordered to be engrossed for a third reading.

Mr Ware offered the following resolution: Resolved, that this House will hold afternoon sessions for each and every day, Sundays excepted, until both Houses of the General Assembly shall agree to adjourn sine die, after the present week, and that after the 18th instant no new business shall be introduced, but by consent of two thirds of the members, Mr Porter moved that the resolution lie on the table, which was lost; yeas 11, nays 54.

The yeas and nays being demanded those who voted in the affirmative are Messrs Breedin, Brodnax, Chamberlain, Drish, Hall, Hill, Porter, Rather, Reaves, Sumners, and Wilson.

Those who voted in the negative, are Messrs Speaker, Beck, Brickell, Camp, Carmack, Carithers, Coker, Cook, Creagh, Davis Devereux, Earle, Fleming, Flournoy, Fortson, Goodrich, Graham, Herbert, Houston, of M. Hubbard, Hudson of F., Hudson of J., Johnson, Keener, King, Lee, Lockhart, Lusk, Massey, Miree Moffett, Morrisette, Musgrove, Norwood, Oliver Ormond, Paul, Rhodes, Richardson, Ross, Rugely, Saunders, Scott, Simmons, Stewart, Tarrant,Thompson, Trotter, Walker, Ward, Ware, Weissinger, Witherspoon, and Young.

The resolution was then adopted.

A message from the Governor, by mr Thornton: mr Speaker, the Governor did on the 12th instant approve and sign, “an act to repeal in part the several act now in force in relation to the practice of medicine.” “an act authorizing a lottery for the benefit of Lowndes Lodge No. 33 of ancient free masonry;” and “an act to incorporate the town of Waterloo in Lauderdale county:” and “an act to levy a tax upon the cattle of non-resi dents;” all of which originated to the orders of the day.

The bill from the Senate entitled, an act supplemental to an act incorporating the Tuscumbia, Courtland, and Decatur rail road company, was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The engrossed bill entitled, an act to provide for printing an additional number of the acts and journals for the use of certain counties therein named, was referred to the committee on the state printing.

Engrossed bills of the following titles, to wit: “an act requiring officers taking the acknowledgment of deeds and the relinquishment of dower, to be satisfied with the indenty of the party acknowledging or relinquishing” “an act regulating the term of service of state printer:” “an act authorising the licensing of billiard tables;” “an act for the relief of Thomas G. Tyus tax collector of Limestone county:” “an act to enable sheriff’s and coroners to take recognizance in certain cases therein named” “an act to authorize the tax collectors of Monroe and Pike counties to receive jury certificates in payment of county taxes;” and “an act for the relief of George Riggs,” were severally read the third time and passed, Ordered, that the titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to alter the wards of the city of Mobile was, on motion of Mr Breedin, made the special order of the day for the 31st December instant, for its third reading.

Mr Oliver made the following report: The committee on enrolled bills have examined and find correctly enrolled an act to establish certain counties therein named.

A message from the Senate, by Mr Morton: mr Speaker, the Senate have

passed a bill which originated in the House of Representatives entitled, an

act to divide the third regiment of the militia of this state, and have amended the same in the manner herewith shewn, in which amendments they ask the concurrence of your honorable body. Mr Flournoy moved that the bill lie on the table, which was carried.

The bill entitled , an act to repeal the several acts concerning roads, highways, bridges and ferries, in the county of Mobile was read the second time. Mr Breedin moved to postpone the bill indefinitely, which was lost, yeas 1, nays 50.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Breedin, Brodnax, Carmack, Fortson, Hall, Hill, Houston, of M Hubbard, Norwood, Rather, Tarrant, and Young.

Those who voted in the negative are, Messrs Speaker, Beck, Brickell, Carithers, Chamberlain, Creagh, Davis, Devereux, Drish, Earle, Fleming, Flournoy, Goodrich, Graham, Herbert, Houston, of L. Hudson of F. Hudson, of J. Johnson, Keener, King, Lee, Lockhart, Lusk, McAfee, Massey, Miree, Moffett, Morrisette, Oliver, Ormond, Porter, Reaves, Rhodes, Richardson, Ross, Rugely, Saunders, Scott, Simmons, Stewart, Sumners, Thompson, Trotter, Walker, Ware, Weissinger, Williams, and Wilson.

The bill was referred to the committee on roads, bridges and ferries.

Mr Flournoy moved to suspend the orders of the day for the present, which was agreed to.

Mr Flournoy called up the bill entitled, an act to divide the third regiment of the militia of this state. It was referred to a select committee, consisting of messrs Flournoy, Fleming and Perkins, with instructions to report to-morrow.

Bills of the following titles, to wit: an act legalize and confirm the name of James W. Clement; an act to legitimate certain persons therein named; an act authorizing the citizens of Sommerville to elect a constable; an act to legitimate certain persons therein named; and, an act for the relief of sheriffs in distant counties; were severally read a second time and ordered to be engrossed for a third reading.

Bills of the following titles to wit: an act to amend the several acts regulating the attendance of witnesses and the taking of depositions; joint resolutions, proposing amendments to the constitution of the State of Alabama; an act to reduce the costs in suits at common law; an act to define the manner in which contempt committed in vacation shall be punished; an act to incorporate the town of Claysville in Jackson county; an act declaratory to the act of incorporation of the town of Claiborne; were severally read the second time and referred to the judiciary committee.

Bills from the Senate, of the following titles, to wit: an act to provide for electing justices of the peace and constables; an ac to incorporate the Mobile and New Orleans stage and steam boat company; an act to amend an act to incorporate and empower religious societies of every denomination to hold real estate, were severally read the second time and referred to the judiciary committee.

The bill from the Senate entitled, an act to amend the several acts relating to the sixteenth sections, was read the second time and referred to the committee on education.

The bill from the Senate authorizing the colonel commandant of the 15th regiment in the county of Jefferson to increase the number of beats in said regiment, and for other purposes.

The bill from the Senate entitled, an act to repeal in part an act therein mentioned, was read the second time, and referred to the committee on the State Bank.

The bill from the Senate entitled, an act to revive and alter the state road leading from Prim's store in Dallas county to Montevallo in Shelby county.

was read the second time and referred to the committee on roads, bridges, and ferries.

The bill entitled an act for the relied of William Moore, was read the second time, and referred to the committee on county boundaries.

The bill entitled an act to establish permanently the boundaries of the county of Covington, and for other purposes, was read the second time and referred to the delegation from Covington and Pike counties.

Mr Oliver made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to wit: An act more effectually to secure the compensation allowed by law to the jurors of Butler county: an act to authorize the judges of the supreme court to grant certain writs therein mentioned; an act explanatory of an act approved, December 28, 1831; an act to attach a portion of the territory of the county of Pike to the county of Henry; and an act to repeal in part and amend an act to revise consolidate and amend the several acts relative to justices of the peace and constables, passed December 27, 1814.

The bill from the Senate entitled an act for the relief of the register and receiver of the land office at Courtland, was read the second time and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith, and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The House adjourned until to-morrow, nine o'clock.

Saturday, December 15–Mr Saunders presented the petition of sundry citizens of Dallas county, praying to discontinue and establish an election precinct therein named, which was read and referred to the committee on privileges and elections.

Mr Breedin presented the petition of Cyrus Evans, of the city of Mobile, praying to emancipate a certain slave therein named, which was read and referred to the committee on emancipation.

Mr Devereux presented the account of Eli N. Briggs, late sheriff of Covington county, which was read and referred to the committee on accounts.

Mr Devereux made the following report: The committee on enrolled bills have examined and find correctly enrolled, An act to incorporate the Sommerville Female Seminary.

Mr Ormond, from the judiciary committee, to whom was referred a resolution, instructing them to inquire into the authority of judges of the county court to bind out free negroes, and as to the expediency of passing s law for that purpose, reported, that in their opinion, judges of the county court now have that power, but as the question is not entirely free from doubt, the committee report a bill to be entitled an act concerning free negroes and mulatto children, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read a second time forthwith, and ordered to be engrossed for a third reading.

The same committee to whom was referred the bill to incorporate the town of Claysville, in Jackson county, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill entitled an act to provide for the maintenance and education of certain persons therein named, reported the same with the following amendment: Strike out the following words, "in this State respectively;" which was adopted. The bill was ordered to be engrossed for a third reading.

A message from the Senate by mr Connor–mr Speaker; The Senate have passed bills which originated in the House of Representatives, of the following titles, viz An act entitled an act to amend the charter of the city.

of Mobile, an act to incorporate the Chickasawbogue creek navigation company; an act to change the time of holding the county court of Lauderdale county; an act to establish a bridge at the fish dam ford, on Flint river, in Morgan county; an act to authorise the election of a justice of the peace and constable in the town of Centreville, in Bibb county; and to amend an act entitled an act to incorporate the town of Centreville, in Bibb county, approved, January 20, 1832; an act to incorporate the Bell Factory of the county of Madison, which they have amended as herewith shewn. The Senate have passed a bill of the following title, to wit: an act for the relief of Matthew Fontain Goode; in which, and the amended bill of the House they respectfully ask the concurrence of your honorable body. The Senate concur in the amendments made by your honorable body, to the bill from the Senate entitled an act to authorise the county courts of roads and revenue to alter State roads running through their respective counties; and the bill entitled an act to establish a State road from Tuscaloosa to Montgomery.

Ordered, that the House disagree to the amendment made by the Senate to the bill entitled an act to incorporate the Bell Factory, of the county of Madison, by striking out the words, “shall have perpetual succession and” where they occur in the first section. Ordered, that the House concur in the other amendments made to the said bill.

The bill from the Senate entitled an act for the relief of Matthew Fontain Goode, was read a first time and ordered to a second reading.

Mr King from the select committee to whom was referred the bill entitled an act to establish a certain ferry therein named, reported an amendment by striking out all after the second section, and substituting other sections in lieu thereof; which was adopted.

The bill was ordered to be engrossed for a third reading.

Mr Flournoy, from the committee on divorce and alimony, to which was referred sundry records and proceedings of the circuit courts of Mobile, Butler, Lawrence, Greene and Wilcox, exercising jurisdiction in chancery in cases of divorce, reported a bill to be entitled an act divorcing sundry persons therein mentioned, which was read and ordered to second reading.

Mr Herbert made the following report: The committee on education to whom was referred the petition and remonstrance of sundry citizens of Franklin county, asking relief as purchasers of University lands, have examined the same and ask leave to report; The same as far as set forth in plain and intelligible language, is a demand beyond the power of this body, and likewise impracticable and inexpedient; and the committee ask leave to be discharged from the further consideration of the subject; which was granted. Mr Hudson of F., moved that the petition be referred to the committee on propositions and grievances; which was carried.

Mr Hudson of F., from the committee on county boundaries, to whom was referred the bill for the relief of William Moore, reported a substitute in lieu thereof, which was adopted; the bill was ordered to be engrossed for a third reading.

Mr Cook, from the committee on propositions and grievances, to whom was referred the petition of sundry persons of the town of Montgomery praying to be incorporated into a body politic, for the purpose of building a tavern, in said town; reported a bill to be entitled an act to incorporate the Montgomery Hall Company; which was read and ordered to a second reading.

mr Fleming, from the military committee, to whom was referred a re-

solution instructing them to inquire into the expediency of making it the duty of all officers commanding any military corps of the militia of this State, to compel the same to parade in company musters at least fours times in each year, reported that it, is inexpedient at this time; in which report the House concurred.

Mr Flournoy made the following report: The committee on divorce and alimony to which was referred a bill to be entitled an act to divorce certain persons therein named, have had the same under consideration, and instructed me to report the same without amendment. The bill was ordered to be engrossed for a third reading.

The same committee to which was referred the record and proceedings of the circuit court of Dallas county, exercising jurisdiction in chancery, in the case of James C. Smith, who sued to be divorced from his wife Willey Smith, and in the case of Thomas C. Christian, who sued to be divorced from his wife, Jane B. Christian, asked leave to be discharged from the further consideration thereof, which was granted.

Mr Ormond, from the judiciary committee, to whom was referred the bill entitled an act declaratory of the act of incorporation of the town of Claiborne, reported the same without amendment. The was ordered to be engrossed for a third reading.

Mr Moffett, from the committee on accounts, to whom was referred the bill from the Senate entitled an act for the relief of John S. Gorman, reported the same without amendment, and recommend its passage. The bill was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Ormond made the following report: The judiciary committee to whom was referred the petition of sundry citizens of Butler county, praying the removal of the county judge, have had the same under consideration, and have instructed me to report, that the allegations and charges in the petition, and which are attested by a large number of signers, are sufficient, if true, to remove him from office, and nothing but the late period of the session prevents them from advising the House to proceed to the investigation of the charges; they therefore ask to be discharged from the further consideration thereof. Mr Cook moved that the report lie on the table; which was carried.

Mr Herbert made the following report: The committee on education, to whom was referred a resolution instructing them to inquire into the propriety of allowing a suitable compensation to the commissioners of the sixteenth sections, and providing by law for discharging all expenses attending the surveying, subdividing in lots and sale of said sections, previous to recovering from purchasers, notes payable to the president and directors of the Bank of the State of Alabama, have considered the same, and report that it is inexpedient to pass a law in accordance with said resolution, and ask leave to be discharged from the further consideration of the subject; which was granted.

Mr Ormond, from the judiciary, committee to whom was referred the engrossed bill entitled an act to incorporate the merchant's insurance company of Huntsville, reported the same with an amendment, by adding thereto an additional section, No. 11, as an engrossed ryder, which was adopted. The bill was then read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Ormond from the judiciary committee, to whom was referred the bill from the Senate entitled an act to simplify sciri facias in criminal ca-

ses, reported the same with an amendment, by striking out all after the enacting clause, and substituting section one, in lieu thereof, which was adopted, the bill was ordered to a third reading.

Mr Ormond made the following report; The judiciary committee to whom was referred a bill entitled an act to reduce the costs in suits at common law, have had the same under consideration, and have instructed me to report, that as it may be supposed they have an interest in the subject referred to them, they ask to be excused from expressing any opinion on the subject, except so far as to say that it is impossible by legislation to prevent the members of the legal profession from being compensated for their services, they may shift the expense from the defendant to the plaintiff; further than this, in their opinion, legislation can effect no object; they ask leave to be discharged from the further consideration of the subject; which was granted. Ordered, that the bill lie on the table.

Mr Hudson of F. from the committee on county boundaries, to whom was referred the petition of sundry citizens of that part of the Cherokee Nation, heretofore attached to the county of Blount, praying that they might be attached to the county of Jackson, reported that it is inexpedient to legislate on the subject at this time, and ask leave to be discharged from the further consideration of the same; which was granted.

Mr Porter from the committee on education, to whom was referred the bill entitled an act to establish an academy at Blountsville, reported a substitute therefor, which was adopted, the bill was ordered to be engrossed for a third reading.

Mr Coker, from the select committee to whom was referred a resolution instructing them to inquire into the expediency of authorising a turnpike road from Blakely to Montgomery, reported a bill to authorize Ward Taylor and his associated; to construct a turnpike road therein named; which was read and ordered to a second reading.

Mr Herbert made the following report: The committee on education to whom was referred a resolution instructing them to inquire into the practicability and expediency of devising some plan, having for its object the establishment of primary schools, either in aid of the sixteenth sections or by a separate establishment, have had the same under consideration, and instructed me to report, that the reacquisitions of this resolution is effectually answered by the introduction of a bill better to secure the fund arising from the sale of the sixteenth sections, and in the opinion of the committee, it is neither practicable or expedient further to legislate on the subject, and ask leave to be discharged from the further consideration of the subject, which was granted.

Mr Moffett, from the committee on accounts, to whom was referred the account of William Tarlton, constable of Monroe county, reported, that said account is not chargeable to the State, and ought not to be allowed they ask leave to be discharged from the further consideration of the subject; which was granted.

Mr Witherspoon, from the committee on education, to whom was referred the bill from the Senate entitled an act to revive in part and amend an act to allow trustees of the State University pay for their services, passed December 26, 1822, reported the same with an amendment, by striking out the third section; which was adopted. The bill was ordered to a third reading.

Mr Rhodes, from the committee on the State Bank, to whom was referred the bill from the Senate entitled an act to repeal in part an act therein mentioned, reported the same without amendment, and recommend its pas-

sage, the bill was ordered to a third reading.

Mr Chamberlain, from the committee on the State Bank, to whom was referred the petition of the stockholders of the Bank of Mobile, praying an extension of their charter, and that the capital stock of said Bank may be increased to the amount of two millions of dollars, reported that it is inexpedient at the present time to extend the charter of said Bank. but that it is expedient to increase the capital stock thereof. The committee reported a bill to be entitled an act supplemental to an act entitled an act to establish a Bank in the town of Mobile, passed November 20, 1818, which was read. Mr Weissinger moved that the bill be indefinitely postponed; which was carried.

Mr Moffett, from the committee on accounts, to whom was referred the account of Terry Riddle, late sheriff of Hamilton county, Tennessee, for services rendered and expenses incurred in conveying, pursuant to order, John Franklin and James Brock, charged with horse stealing, from the jail of Hamilton county, Tennessee, to the jail of St. Clair county, Alabama, reported a bill to be entitled an act for the relief of Terry Riddle, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith and ordered to be engrossed for a third reading.

Mr Drish, from the committee on emancipation, to which was referred the petition of J. O. Harris, praying to emancipate a certain slave, reported, that it is inexpedient to act any further on this subject, and ask leave to be discharged from the further consideration of the same, which was granted.

Mr Brickell, from the committee on State printing, to whom was referred the engrossed bill to provide for printing an additional number of acts and journals, reported a substitute in lieu thereof, which was adopted, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith, and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Devereux, from the select committee to whom was referred the bill entitled an act to establish permanently the boundaries of the county of Covington, and for other purposes, reported a substitute in lieu thereof, which was adopted; the bill was ordered, to be engrossed for a third reading.

Mr Ormond, from the select committee to whom was referred the memorial to the Congress of the United States of America, reported a substitute therefor, which was adopted. The memorial was referred to a select committee, consisting of messrs Hubbard, Musgrove, Ormond, Oliver and Herbert.

Mr Flournoy made the following report: The select committee to which was referred the bill to be entitled an act to divide the third regiment of the militia of this State, and the amendments of the Senate thereto, have had the same under consideration, and amended the fifth section proposed by the Senate, by striking out all after the word ‘all” in the first line of said subject to militia duty living north of the line dividing the county of Pickens into two regiments, shall hereafter belong to and compose the thirty-fourth regiment of the fifth brigade of Alabama militia, and that all persons subject to militia duty living south of siad line shall hereafter belong to and compose the fifty-minth regiment of said brigade.” The committee have also amended the sixth section, proposed by the Senate, by inserting after the word “for” and before the word “militia” in the first line of that section, the words “justices of the peace, constables and” They have

likewise amended the first amendment of the Senate, by striking out the seventh section. Ordered, that the House concur in the several amendments made by the Senate to said bill.

Mr Lusk, from the select committee to whom was referred the bill to be entitled an act conferring certain powers on the mayor or intendant and constable of the town of Bellefonte, reported a substitute in lieu thereof, which was adopted; and the bill ordered to be engrossed for a third reading.

Mr Herbert, from the select committee to whom was referred the bill entitled an act to regulate the weighing of cotton in the city of Mobile, and for other purposes, reported the following amendment on the second line of section No. 2; strike out the words “joint vote of both Houses of the General Assembly,” and insert the words “mayor and aldermen of the city of Mobile;” which was adopted. The bill was ordered to be engrossed for a third reading.

Mr Graham made the following report: The select committee to whom was referred the petition of John Braham, of Madison county, have had the same under consideration, and after investigating the matter therein set forth, are satisfied that the said John Brahan, was the occupant of, and entitled to pre-emption to the west half of the north west quarter of section number thirty, in township number three, of range number eight west of the basis meridian, situate in the county of Lawrence, and being part of the lands granted by Congress to the State of Alabama, for the purpose of opening her navigable waters, they are further satisfied that the commissioners appointed to class and value said lands were bound to consider the same in regard to locality and quantity of soil without taking into consideration the improvement thereon, and that the said commissioners in violation of this principle, in estimating the value of the above described tract of land, did take into consideration a large framed house, which said Brahan had erected thereon; and in addition to the price placed upon said tract of land, valued the said house at the sum of four hundred dollars.

The same committee reported a bill to be entitled an act for the relief of John Braham, of Madison county, which was read and ordered to a second reading.

Mr Speaker laid before the House the manuscript copy of the eulogy, delivered by the Reverend Mr Halliard, on the seventh instant.

Mr Hubbard moved that the document lie on the table, and that five hundred copies be printed. The question being divided, the vote was first taken on laying the document on the table, and carried. The vote was then taken on printing, and carried. Yeas 53; nays 3.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Breedin Brickell Brodnax Camp Carmack Chamberlain Coker Creagh Drish Earle Fleming Flournoy Fortson Graham Herbert Hill Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lockhart Lusk McAfee Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Rather Rhodes Richardson Ross Rugely Saunders Scott Sumners Stewart Tarrant Thompson Trotter Walker Ward Ware Weissinger and Young.

Those who voted in the negative messrs Goodrich Lee and Reaves.

On motion of mr Lockhart: Resolved, That the committee on inland navigation be instructed to inquire into the expediency of appropriating a part of the three per cent. fund to the improvement of the State road leading through the county of Marengo, from Greensborough to Mobile, and from Greensborough to Blakely, with leave to report by bill or otherwise.

And then the House adjourned until Monday morning, nine o’clock.

Monday, December 17.–A message from the Senate by mr Morton mr Speaker; The Senate have passed bills of the following titles, which

originated in the House of Representatives; An act to alter and define the boundaries of the county of Baldwin, an act to establish the permanent

seat of justice in the county of Henry, and for other purposes. They have rejected the following bills which came from the House of Representatives, to wit: An act to prohibit public lecturing on the subject of colonizing free-blacks, and for other purposes; an act the better to secure the funds of the University of Alabama an act for the relief of the judge of the county court of Mobile county; and an act to authorize Aurelius N. Jones, as guardian of John A. R. Jones, to remove the property of his ward to Lowndes county, in the State of Mississippi.

Accounts were presented by messrs Lockhart and Trotter; they were severally read and referred to the committee on accounts.

Mr Goodrich presented the petition of sundry citizens of Jackson county, praying to discontinue and establish certain election precincts therein named, which was read and referred to the committee on privileges and elections.

Mr Hudson of J. presented the petition of sundry citizens of Jackson county, praying the division of a certain regiment therein named; which was read and referred to the military committee.

Mr Ormond made the following report: The committee on inland navigation, to whom was referred sundry petitions from Jackson county, and also a resolution and a bill having for their object the repeal of a law of the last session, authorizing Joseph Garrett and James W. Hill, of Madison county to erect a dam across Paint Rock river, have had the same under consideration, and have authorised me to report, that from the causes of complaint alleged by the petitioners, and which this committee entertains no doubt exist, great injustice has been done to the people of Jackson county, residing above the said dam in Jackson county, and that from the facts disclosed, they entertain no doubt, that any court having jurisdiction of the matter, would abate the dam aforesaid as a nuisance. It cannot be presumed that the courts of the county will refuse to do justice between the parties, and before those tribunals the rights of the parties can be better ascertained; this committee however, would not be understood to say that the legislature cannot in any case repeal a law granting privileges on the performance of certain conditions; if those conditions are not complied with, and the public interest thereby disregarded, they only wish to be understood to say, that as the law in question points out a particular mode of redress, that it is not expedient for the legislature to interfere in the matter in the first instance, but to leave it for the adjudication of the ordinary tribunals of the country, who will no doubt to justice between the parties; they therefore ask leave to be discharged from the further consideration thereof. Mr Goodrich moved that the report lie on the table, which was lost. The question was to concur in the report, and discharge the committee, and carried. Yeas 54, nays 5.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Speaker Beck Brickell Brodnax Camp Carmack Carithers Coker Cook Creagh Davis Devereux Earle Fleming Fortson Graham Hall Herbert Hill Houston of L. Houston of M. Hudson of F. Johnson Keener Lee McAfee Massey Mason Miree Moffett Morrissette Musgrove Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Thompson Trotter Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

Those who voted in the negative, are messrs Flournoy Goodrich Lusk Hudson of J. and Norwood.

Mr Herbert made the following report: The committee on education to whom was referred a resolution instructing them to prepare a bill providing for the establishment of schools throughout the State in suitable districts,

having regard to the white population; which schools to be sustained out of the nett gains made by the Bank of the State of Alabama, and several branches, in which provision shall be first made for the establishments of

such neighborhoods as have no support from sixteenth sections, have had the same under consideration, and instructed me to report, that a bill embracing the provision of the resolution, would be prospective, and in the opinion of the committee impolitic to act upon at present, and they respectfully ask leave to be discharged from the further consideration of the subject: which was granted.

Mr Hudson of F. from the committee on county boundaries, to whom was referred the bill entitled an act to organize certain counties therein namamed, reported a substitute in lieu thereof; which was adopted. Mr Rather moved to amend the bill by striking out the word “eighty” to insert “one hundred and sixty;” which was adopted. The bill was ordered to be engrossed for a third reading.

Mr Oliver made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to wit: An act to authorise David Merideth to turnpike a certain road therein named, an act to enable Robert H. Watkins to erect a dam on the Tennessee river; an act for the relief of the tax collector of Walker county; an act for the relief of Eliza W. Baker and Angerona Crockett; an act to reduce the damages on bills of exchange purchased by the Bank of the State of Alabama, or either of its branches.

Mr Norwood, from the select committee to whom was referred sundry petitions from different parts of the State, praying the passage of a law in relation to the practice of medicine by the Thompsonian or botanic doctors, reported that the bill contemplated by the various petitions has passed the House, they therefore ask leave to be discharged from the further consideration of the subject; which was granted.

A message from the Governor by mr Thornton–mr Speaker; The Governor did on the fifteenth instant, approve and sign the following bills, to wit: An act to establish a public road from the House of David Day, in Morgan county, to Weeden’s old place, in Blount county; an act supplemental to an act entitled an act to establish a turnpike road therein mentioned, approved January 7, 1830; and an act to authorise the judge of the county court and commissioners of roads and revenue, of the county of Limestone, to levy a tax for the building of a new courthouse in the town of Athens, for said county, all of which originated in the House of Representatives.

Mr Porter introduced a bill to be entitled an act to amend the laws in relation to sixteenth sections, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to a select committee, whereupon messrs Porter, Morrisette and Ware were appointed said committee.

Mr Sumners introduced a bill to be entitled an act to divide the State into five Congressional Districts, which was read and made the special order of the day for a second reading on to-morrow.

Mr Fleming introduced a bill to be entitled an act to amend the law now in force, exempting property from execution, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read a second time forthwith, and referred to a select committee. messrs Hubbard, Fleming and Ormond were appointed said committee.

On motion of mr Hudson of J.: Resolved, That the judiciary committee inquire into the expediency of passing a law to provide for the settlement of the accounts of executors, administrators and guardians, where

the judge of the county court has been employed as counsel, or may be otherwise interested in such settlement.

Mr Wilson introduced a bill to be entitled an act to establish and incorporate the town of Trenton, in the county of Tuscaloosa, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time and referred to the judiciary committee.

Mr McRae introduced a bill to be entitled an act to authorize the judge of the county court of Franklin county, and commissioners of roads and revenue, to designate the boundary and hands for each overseer, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read a second time, and referred to a select committee; whereupon messrs McRae, Hudson of F. and Rather, were appointed said committee.

On motion of mr Hudson of J: Resolved, That the committee on privileges and elections be instructed to inquire into the expediency of abolishing the election precinct at the house of Thomas Lorgains, in the county of Jackson, and that an election precinct be established at the house of Valentine Fulcher, in said county.

Mr Musgrove introduced a bill to be entitled an act to establish an additional number of company beats, in the fourteenth regiment of Alabama militia, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time, and ordered to be engrossed for a third reading.

On motion of mr Reaves: Resolved, That the committee on privileges and elections be instructed to inquire into the expediency of establishing an election precinct at the house of James Kelly, and one at the house of James Pussers, in Pike county.

On motion of mr Saunders; Resolved, That the committee on inland navigation be instructed to inquire into the expediency of appropriating a portion of the three per cent. fund to the improvement of the State road leading from Tuscaloosa to Cahawba, that part of the road lying between Howell's in Perry county, and Cahawba in Dallas county, a distance of twenty miles.

On motion of mr Thompson; Resolved, That the committee in inland navigation be instructed to inquire into the expediency of appropriating three thousand dollars of the three per cent. fund for the purpose of inproving the navigation of Lookspalila river, with leave to report by bill or otherwise.

On motion of mr Perkins: Resolved, That the committee on inland navigation be instructed to inquire into the expediency of appropriating a a part of the three per cent. fund to the erection of a bridge across the Black Warrior river, at or near the south end of Main-street, in the village called Kentucky, on the north side of the river, and the point of land immediately at the upper ferry, on the south side of the river.

On motion of mr Hudson of F., Resolved, That the committee on inland navigation be instructed to inquire into the expediency of appropriating a part of the three per cent. fund to the improvement of the military road between the town of Russelville, and the town of Tuscumbia, in the county of Franklin, with leave to report by bill or otherwise.

On motion of mr Walker, Resolved, That the committee on inland navigation be instructed to inquire into the expediency of appropriating two thousand dollars of the three per cent. fund for the purpose of opening and improving a road from Pikeville, in Marion county, by way of Fay-

etteville, in Fayette county, to the town of Tuscaloosa; with leave to report by bill or otherwise.

Mr McRea introduced a bill to be entitled an act to authorise the register of the land office of Courtland, to suffer any person to enter any legal sub-division of the unappropriated four hundred thousand acres of donated lands made this State for internal improvements that is now by law authorised to be entered, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and referred to the committee on lands appropriated for internal improvement.

On motion of mr Ward: Resolved, That the committee on inland navigation be instructed to inquire into the expediency of appropriating a part of the three per cent. fund for opening and improving a road from Montgomery by way of Montecello, in Pike county, and Franklin or Columbia, in Henry county, in the most direct way to Tallahassee, in Florida, as far as the State line.

On motion of mr Cook: Resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating a part of the three per cent. fund for the improvement of the road from Montgomery to Blakely.

Mr Wilson introduced a bill to be entitled an act to authorise the appointment of deputy clerks in the several courts of this State, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and referred to the judiciary committee.

Mr Simmons introduced a bill to be entitled an act to establish a road from the ferry at Montgomery by the way of Kingston in the county of Autauga to Samuel Bogles' in Bibb county, which was read and ordered to a second reading.

On motion of mr Houston of L: Resolved, That the committee in inland navigation be instructed to inquire into the expediency of passing a law authorizing the Tennessee canal commissioners to make such a change of the improvement below Florence on said river as they may think proper, under such an act as the present session of the Congress of the United States may think to enact.

The House then resolved itself into a committee of the whole House on the resolutions reported by the select committee on the subject of the tariff laws; mr Rather in the chair. Mr Ormond then moved that the committee be discharged from the further consideration thereof; which was agreed to. Mr Breedin moved that the resolutions be made the special order of the day for Friday next; which was carried.

The resolutions introduced by mr Porter on the subject of the tariff laws being under consideration, mr Williams moved that the further consideration of the resolution be postponed until Friday next, and made the special order of the day for eleven o'clock ; a division of the question being called for the vote was first taken on making the resolution the special order of the day for Friday, and carried.

A message from the Senate by mr Morton —— mr Speaker; The Senate have passed a bill which originated in the House of Representatives entitled an act regulating the time of making payments upon lands sold at the land office in Courtland.

The bill entitled an act providing a more summary mode for the trial of

persons charged with the commission of affrays, assaults, assaults and batteries, was read the second time. Mr Brickell moved that the bill be indefinitely postponed, which was lost; yeas 20; nays 42.

The yeas and nays being demanded, those who voted in the affirmative are messrs Beck Breedin Brickell Camp Chamberlain Cook Creagh Earle Fleming Graham Johnson Mason Moffett Morrisette Musgrove Paul Rather Richardson Trotter and Wilson.

Those who voted in the negative are, messrs Speaker Broadnax Carmack Coker Davis Devereux Flournoy Fortson Goodrich Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Keener Lee Lockhart Lusk McAfee Massey Miree Norwood Ormond Reaves Rhodes Ross Rugely Scott Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams Witherspoon and Young.

The bill was then referred to a select committee; whereupon messrs Goodrich, Hubbard and Morrisette were appointed said committee.

Mr. Breedin introduced a bill to be entitled an act better to regulate escheats, which was read the first time and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time, and referred to the judiciary committee.

Mr Simmons introduced a bill to be entitled an act to incorporate the light horse in the county of Autauga, which was read the first time and ordered to a second reading.

On motion of mr Musgrove; Resolved, that the committee on inland navigation be instructed to inquire into the expediency of appropriating two thousand dollars of the three per cent fund for the purpose of laying off an clearing out a public road leading from Gunter's landing, on the Tennessee river, by way of Blountsville, in the direction to the town of Tuscaloosa, the nearest and best route to the same, with leave to report by bill or otherwise.

On motion of mr Hubbard; Resolved, That the committee on the judiciary be instructed to inquire into the expediency of repealing the law which requires magistrates to take cognizance of oaths.

On motion of mr Moffett: Resolved, That the military committee be instructed to inquire into the expediency of laying off the counties established ; and also the territory added to other counties during the present session of the legislature into regiments and brigades ; with leave to report by bill or otherwise.

On motion of mr Beck : Resolved, That the committee on inland navigation be instructed to inquire into the expediency of appropriating a portion of three per cent. fund to the improvement of the navigation of Pine Barren, in the counties of Wilcox and Dallas; also to the erection of bridges on the several creeks in the county of Wilcox, on the State road from Cahawba to Claiborne.

On motion of mr Ormond: Resolved, That the committee on ways and means be instructed to inquire into the expediency of setting apart a sum of money for the commencement of a public library, with leave to report by bill otherwise.

And then the House adjourned until three o'clock, this evening.

Evening Session, three o'clock,–Mr. Hubbard introduced a bill to be entitled an act to provide for making deductions from the salaries of the public officers who may fail or neglect to perform the duties of their offices, which was read the first time, and the constitutional rule being suspended, the bill was read the second time forthwith, and referred to the judiciary committee.

Mr Hubbard introduced a bill to be entitled an act to declare in what manner pardons and reprieves shall be granted, and fines and forfeitures remitted, which was read the first time, and the constitutional provisions being suspended, the bill was read the second time forthwith, and referred to the judiciary committee.

On motion of mr Oliver: Resolved, That the Senate be informed that the House of Representatives is ready to receive them for the purpose of electing a president and twelve directors for the Branch Bank at Montgom-

ory; and a director for the Branch Bank at Decatur, to fill a vacancy occasioned by the resignation of Thomas Fearn, resigned.

The Senate having repaired to the Hall of the House of Representatives and taken their seats, the two Houses then proceeded to the election of a president for the Branch of the Bank of the State of Alabama, located at the town of Montgomery.

Mr John Gindrat being in nomination.

Those who voted for mr Gindrat, are messrs President Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill, Hill Hogan Erwin of H. McVay Morton Phillips Pickett Smith and Vining, of the Senate; Messrs Speaker Beck Breedin Brickell Camp Carmack Coker Cook Creagh Devereux Drish Fleming Fortson Goodrich Graham Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener Lee Lockhart Lusk McAfee McRea Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson and Young.

Mr John Gindrat having received all the votes given, mr Speaker therefore declared him duly elected president of Branch of the bank of the State of Alabama, located at the town of Montgomery.

The two Houses then proceeded to the election of twelve directors for said Branch Bank.

Benajah S. Bibb, Bushrod W. Bell, Thomas Brown, Thomas M Cowles, William Faulkner, Lem. D. Holt, James Livingston, Charles S. Pollars, William D. Peckett, William Sayer, George Whitman, Charles S. Lucas, Daniel Carpenter, William McLemore, Nimrod E. Benson, Alva A. McWhorter, and John H. Sommerville being in nomination.

Those who voted for mr Bibb, are messrs President Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Irwin of H. McVay Morton Phillips Pickett Smith Vining and Walthall, of the Senate–Messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Cooker Cook Creagh Davis Devereux Drish Earle Fleming Fortson Graham Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener Lee Lockhart Lusk McAfee Massey Mason Miree Moffett Morrisette Musgrove Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Stewart Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson and Young.

Those who voted for mr Bell, are messrs President Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Hemphill Hogan Irwin of H. Morton Phillips Pickett Smith Vining and Walthall of the Senate;–Messrs Speaker Beck Breedin Brickell Brodnax Carmack Coker Cook Creagh Devereux Drish Earle Fortson Graham Hall Herbert Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener Lee Lockhart Lusk McAfee Mason Miree Moffett Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Simmons Stewart Tarrant Thompson Walker Ward Ware and Wilson.

Those who voted for mr Brown , Messrs President Abercrombie Anderson Ash Barclay Bridges Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Irwin of H. McVay Morton Phillips Pickett Vining and Walthall of the Senate–Messrs Speaker Beck Breedin Brickell Brodnax Carmack Coker Cook Devereux Earle Fleming Fortson Graham Hall Herbert Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener Lee Lockhart Lusk McAfee Massey Mason Miree Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Tarrant Thompson Trotter Walker Ward Ware Williams Wilson and Young.

Those who voted for Mr Cowles are Messrs President Anderson Chapman Coopwood Dupuy Edmondson Hemphill Irwin of H. M'Vay Morton Phillips and Walthall, of the Senate-Messrs Speaker Breedin Brickell Brodnax Camp Carmack Coker Cook Levereux Earle

Fleming Hall Herbert Hill Houston of M. Hubbard Hudson of F. Keener Lee McAfee Massey Miree Musgrove Oliver Paul Perkins Porter Rather Rhodes Richardson Ross Rugely Saunders Simmons Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Wilson and Young.

Those who voted for mr Falkner are Messrs President Abercrombie Anderson Ash Barclay Bridges Chapman Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. M'Vay Morton Phillips Pickett smith Vining and Walthall of the senate– Messrs Beck Breedin Brickell Brodnax Camp Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Fortson Goodrich Grahma Hall Herbert Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson Keener Lockhart Lusk McAfee Massey Mason Miree Moffett Morrisette Norwood Oliver Ormond Paul Perkins Porter rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson and Young.

Those who voted for mr Holt, are messrs President Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. M'Vay Morton Pickett Smith Vining and Walthall, of the Senate–Messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fortson Herbert Houston of L. Houston of M. Hubbard Hudson of F. Johnson Keener Lee Lockhart Lusk McAfee Mason Miree Moffett Morrisette Musgrove Norwood Oliver Paul Perkins Porter Rather

Reaves Rhodes Richardson Ross Rugely Saunders Simmons Stewart Sumners Tarrant Thompson, Trotter Walker Ward Ware Williams Wilson and Young.

Those who voted for mr Levingston, are messrs Abercrombie Anderson Ash Chapman Dupuy Edmondson Hemphill Irwin of H. McVay Morton Phillips and Walthall of the Senate. Messrs Breedin Brodnax Carmack Coker Cook Devereux Drish Earle Fortson Herbert Houston of M. Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Thompson Trotter Walker Ward Ware Williams Wilson and Young.

Those who voted for mr Pollard, are messrs President Abercrombie Anderson Ash Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irvin of H. McVay Morton Phillips and Walthall, of the Senate.–Messrs Speaker Breedin Brodnax Carmack Chamberlain Coker Cook Devereux Drish Earle Fleming Herbert Hill Houston of M. Hubbard Hudson of F. Johnson Keener Lee McAfee Massey Miree Moffett Morrisette Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Simmons Stewart Sumners Thompson Trotter Walker Ward Ware Wilson and Young.

Those who voted for mr Pickett are messrs President Abercrombie Ash Barclay Bridges Chapman Coopwood Edmondson Erwin of G. Hemphill Hill Hogan Irvin of H. McVay Morton Phillips Pickett Smith Vining and Walthall of the Senate.–Messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Chamberlain Cooker Cook Creagh Davis Devereux Drish Earle Fleming Fortson Goodrich Graham Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener Lee Lockhart Lusk McAfee Massey Mason Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson and Young.

Those who voted for mr Sayer, are messrs President Abercrombie Anderson Ash Coopwood Dupuy Edmondson Hemphill Hogan Irwin of H. McVay Morton Phillips and Walthall, of the Senate–Messrs Speaker Breedin Brickell Carmack Chamberlain Cooker Devereux Drish Earle Hall Herebert Hill Houston of M. Hubbard Hudson of F. keener McAfee Miree Morrisette Musgrove Oliver Paul Perkins Porter Rather Rhodes Richardson Ross Rugely Saunders Scott Sim mons Sumners Thompson Trotter Walker Ward Ware Wilson and Young.

Those who voted for mr Whitman, are messrs President Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. McVay Morton Phillips Pickett Smith Vining and Walthall, of the Senate–Messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Chamberlain Cooker Cook Creagh Davis Devereux Drish Earle Fleming Fortson Goodrich Graham Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener Lockhart Lusk McAfee Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugley Saunders Scott Simmons Sumners Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams and Young.

Those who voted for mr Lucas, are messrs President Abercrombie Anderson Ash Coopwood Dupuy Edmondson Erwin of G. Hemphill Irwin of H. McVay Morton Phillips and Walthall of the Senate–Messrs Speaker Breedin Brickell Brodnax Camp Carmack Chamberlain Coker Cook Devereux Drish Earle Fleming Fortson Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Keener Lee Lusk McAfee Mason Miree Norwood Oliver Ormond Paul Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Simmons Sumners Thompson Trotter Walker Ward Ware Wilson and Young.

Those who voted for mr Carpenter, are messrs Barclay Bridges Chapman Erwin of G. Hill Hogan Pickett Smith and Vining of the Senate.— messrs Beck Brodnax Chamberlain Creagh Gleming Goodrich Graham Houston of L. Hudson of J. Lockhart Lusk Mason Moffett Musgrove Norwood Ormond Scott Stewart and Weissinger.

Those who voted for mr McLemore, are messrs Barclay Bridges Chapman Coopwood Hill Hogan Pickett Smith and Vining of the Senate.–messrs Beck Brickell Camp Chamberlain Creagh Davis Fleming Fortson Goodrich Graham Hall Hill Houston of L. Hudson of J. Johnson Lockhart Massey Mason Moffett Morrisette Musgrove Norwood Ormond Reaves Scott Stewart Sumners Tarrant and Weissinger.

Those who voted for mr Benson are messrs Ash Barclay Bridges Chapman Coopwood Edmondson Erwin of G. Hill Hogan McVay Pickett Smith and Vining of the Senate. Messrs Speaker Beck Brickell Camp Carmack Chamberlain Cook Creagh Davis Drish Fortson Goodrich Graham Houston of L. Hudson of J. Johnson Lockhart Lusk Massey Mason Moffett Morrisette Norwood Ormond Perkins Reaves Scott Stewart Tarrant Weissinger Williams and Young.

Those who voted for mr McWhorter, are messrs President Barclay Bridges Erwin of G. Hogan Phillips Pickett Smith and Vining, of the Senate. Messrs Beck Brodnax Camp Chamberlain Creagh Davis Fleming Fortson Goodrich Graham Hall Hill Houston of L. Hudson of J. Johnson Lockhart Lusk Massey Mason Moffett Morrisette Musgrove Norwood Ormond Scott Simmons Stewart Sumners Tarrant Weissinger and Williams.

Those who voted for mr Sommerville, are messrs Barclay Bridges Hill Hogan Pickett Smith and Vining, of the Senate; messrs Speaker Beck Camp Chamberlain Creagh Fleming Graham Hill Hubbard Hudson of J. Johnson Lockhart Lusk Massey Mason Moffett Norwood Scott Tarrant Trotter Weissinger Williams and Wilson.

Benjamin S. Bibb, Bushrod W. Bell, Thomas Brown, Thomas M. Cowles, William Falkner, Lem D. Holt, James Levingston, Charles S. Pollard, William D. Pickett, William Sayer, George Whitman and Charles S. Lucas, having received a majority of votes, mr Speaker therefore declared them duly elected directors of the Branch of the Bank of the State of Alabama, located at the town of Montgomery.

The two Houses then proceeded to the election of a director of the Branch Bank of the State of Alabama, located at the town of Decatur, in

the Tennessee Valley, to fill the vacancy occasioned by the resignation of Thomas Fearn. William A. Sykes in nomination.

Those who voted for mr Sykes, are messrs President Abercrombie Anderson Ash Coopwood Dupuy Edmondson Hemphill Hill Irwin of H. McVay Morton Phillips Smith Vining and Walthall of the Senate. messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Coker Cook Creagh Davis Earle Fortson Herbert Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener Lee Lockhart McAfee Massey Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Sumners Tarrant Thompson Trotter Walker Ware Wilson and Young.

William A. Sykes having received all the voted given, mr Speaker therefore declared him duly elected a director of the Branch Bank of the State of Alabama, located at the town of Decatur, in the Tennessee Valley, to fill the vacancy occasioned by the resignation of Thomas Fearn.

Having gone through the elections, the Senate then withdrew; and the House adjourned until to-morrow morning, ten o'clock.

Tuesday, December 18.–A message from the Senate by mr Connor-- mr Speaker; The Senate have passed bills of the following titles, which originated in the house of Representatives: An act for the relief of witnesses and jurors, an act to provide for the payment of tales jurors in the county of Fayette; an act to repeal in part an act to raise a revenue for the support of government until otherwise altered by law, passed January 20, 1832, and have amended the same as herewith shown, in which the concurrence of the House is asked. The Senate have passed a bill entitled an act to incorporate a company to build a bridge across the Black Warrior river, opposite the town of Tuscaloosa, in which they ask the concurrence of the House of Representatives. They have rejected a bill from the House of Representatives, entitled an act providing for a special term of the circuit court of Mobile county. Ordered, that the House concur in the several amendments made by the Senate to the bill entitled an act to repeal in part an act to raise a revenue for the support of government until otherwise altered by law, passed January 20, 1832.

The bill from the Senate entitled an act to incorporate a company to build a toll bridge across the Black Warrior river, opposite the town of Tuscaloosa, was read the first time, and the constitutional provision being dispensed with, the bill was read the second time and referred to the judidiciary committee.

Mr Lockhart introduced joint resolutions in relation to the lands granted by the government of the United States to the French emigrant association for the cultivation of the vine and olive lying in the county of Marengo. Ordered, that said resolutions lie on the table.

Mr. Ormond presented the record and proceedings of the circuit court of Lauderdale county, in the case of the State against Solomon—; which was read and referred to the committee on accounts.

Mr McRae presented the petition of sundry inhabitants of township No. 4, range No. 10, west of Huntsville, praying the passage of a law to authorise the sale of certain lands therein described; which was read and referred to the committee on education.

Accounts were presented by messrs Earle and McAfee; they were severally read and referred to the committee on accounts.

Mr Porter presented the petition of sundry citizens of Monroe county, praying the passage of a law to authorise Enoch Parsons to keep a ferry over Flat creek in times of high water, which was read and referred to the committee on roads, bridges, and ferries.

Mr Wilson presented the memorial of William M. Price, of the town of

Tuscaloosa, praying to establish an academy in the said town; which was read and referred to the committee on education.

Mr McAfee presented the petition of sundry citizens of St. Clair county, praying the removal of an election precinct therein named; which was read and referred to the committee on privileges and elections.

Mr Miree made the following report: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles, to wit: An act to establish the permanent seat of justice in the county of Henry, and for other purposes; an act to alter and define the boundaries of the county of Baldwin an act regulating the time of making payment upon lands sold at the land office in Courtland; all of which originated in the House of Representatives.

Mr Hudson of F. presented the petition of sundry inhabitants of Franklin county praying to discontinue and establish certain election precincts therein named, which was read and referred to the committee on privileges and electronics.

Mr Hudson of F. from the committee on county boundaries, to whom was referred the bill entitled an act to establish a certain county therein named, reported that is inexpedient to pass said law, and ask leave to be discharged from the further consideration thereof. mr McAfee moved that the report lie on the table which was carried.

The question was then put, Shall the bill be engrossed and read the third time and passed in the affirmative–yeas 37; nays 30.

The yeas and nays being demanded those who voted in the affirmative are Messrs Brodnax, Camp, Coker, Cook, Devereux, Earle, Fleming, Flournoy, Goodrich, Graham, Herbert, Hill, Hubbard, Hudson of F. Keener, King, Lee, McAfee, McRae Massey, Miree, Musgrove, Oliver, Ormond, Paul, Perkins, Porter, Ross, Rugely, Saunders, Scott, Tarrant, Trotter, Ware, Weissinger, Wilson and Young.

Those who voted in the negative, are Messrs Speaker, Breedin, Brickell, Carmack, Chamberlain, Creagh, Davis, Fortson, Hall, Houston of L. Houston, of M. Hudson of J., Jackson, Lockhart, Lusk, Mason, Moffett, Morrisette, Norwood, Rather, Reaves, Richardson, Sumners, Stewart, Saunders, Thompson, Walker, Ward, Williams, and Witherspoon.

The hour of eleven having arrived, mr Hudson of F. moved that the orders of the day be suspended generally; which was agreed to.

Mr Hudson of F. from the committee on county boundaries, to whom was referred a resolution instructing them to inquire into the expediency of laying off that part of the Cherokee Nation heretofore attached to the county of St. Clair, into on separate and distinct county, reported, that it is inexpedient to legislate on the subject at this time, and ask leave to be discharged from the further consideration of the same. Ordered, that the said report lie on the table.

Mr Devereux made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, viz: An act to divide the third regiment of the militia of this State, and for other purposes; an act to authorize an election of a justice of the peace in the town of Centreville, in Bibb county, and to amend an act entitled an act to incorporate the town of Centreville, in the county of Bibb, approved January 21, 1832; an act to establish a bridge on the fish dam ford, on Flint river in Morgan county; and act to change the time of holding the county courts in Lauderdale county; an act to incorporate the Chickasawbogue creek navigation company; an act to amend the charter of the city of Mobile; an act to authorize David Meredith to turnpike a certain road therein named; an act for the relief of the tax collector of Walker county; an act to enable Robert H. Watkins to erect a dam on the Tennessee river; an act to reduce the damages on bills of exchange, purchased by the Bank of the

State of Alabama, or either of its branches; an act for the relief of Eliza W. Baker and Angerona Crockett.

Mr Creagh, from the committee on ways and means, to whom was referred a resolution instructing them to inquire into the expediency of so altering and amending the revenue law as that merchants shall not be required to pay taxes on the amount of their sales, but on the amount of their purchases or invoices, reported that it would be inexpedient to alter the revenue law, in which report the House concurred.

Mr Creagh, from the committee on ways and means to whom was referred two bills, the one entitled an act to repeal so much of the revenue law as imposes a tax on neat cattle belonging to the citizens of the State of Alabama, and the other to exempt fifty head of cattle from taxation. and for other purposes, reported a substitute in lieu thereof. Mr Trotter moved that the bill lie on table; which was carried.

Mr Porter, from the select committee to whom was referred the bill entitled an act to amend the laws in relation to sixteenth sections, reported the same without amendment. The bill was referred to the committee on education.

Mr Scott from the select committee to whom was referred the bill entitled an act to amend the duties of sheriffs and clerks, reported a substitute in lieu thereof; which was adopted.

Mr Davis moved to amend it by striking out the word “fifty” to insert the words “twenty-five,” in relation to the fees of sheriffs; which was adopted, mr Rather moved that the bill be postponed until the first day of February next, which was lost—yeas 14; nays 45.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker, Beck, Breedin, Cook, Creagh, Davis, Hall, Lee, Lockhart, Moffett, Rather, Reaves, and Tarrant.

Those who voted in the negative are, Messrs Brickell, Camp, Carmack, Chamberlain, Coker, Devereux, Earle, Fleming, Fortson, Graham, Herbert, Houston, of L. Houston, of M Hubbard, Hudson, of F. Hudson of J., Johnson, Keener, King, McRae, Massey, Mason, Miree, Musgrove, Norwood, Oliver, Ormond, Paul, Porter, Rhodes, Richardson, Ross, Rugely, Saunders, Scott, Simmons, Stewart, Sumners, Thompson, Walker, Ward, Ware, Weissinger, Williams, Wilson, Witherpsoon, and Young.

Mr Davis moved to amend the bill by way of the following proviso: Provided, that nothing herein contained shall be so construed as to prohibit the collection of a jury tax; which was lost.

Mr Wilson moved to amend the bill by striking out all after the enacting clause to insert the following: “that in all suits settled between the parties at or before the appearance or return term, no attorneys tax fee shall be allowed or taxed in the bill of costs,” which was adopted; the bill was ordered to be engrossed for a third reading.

Mr Oliver made the following report: The committee on enrolled bills have examined and found correctly enrolled bills of the following titles, to wit: An act supplemental to an act incorporating the Tuscumbia, Courtland and Decatur raid road company; an act to authorize the county courts of roads and revenue to change State roads running through their respective counties; an act further to provide for the election of electors for president and vice president of the United States; and an act to establish a State road from Tuscaloosa to Montgomery.

Mr Speaker laid before the House a communication in writing from the inspector general on the subject of the militia laws of this State. Ordered, that said communication lie on the table. Ordered, that seventy-five copies thereof be printed.

Mr Speaker laid before the House a communication from the president

of the Bank of the State of Alabama in relation to the transaction of Mosely Baker with said Bank. Ordered, that the document lie on the table

mr Hubbard, from the select committee to whom was referred the bill entitled an act to amend the law exempting property from execution, reported, that the provisions of this bill are contained in another bill, which has passed this House, and ask leave to be discharged from the further consideration thereof; which was granted.

Mr Hall introduced a bill to be entitled an act to appropriate a certain fund therein named; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and ordered to be engrossed for a third reading.

Mr Norwood presented the petition of sundry inhabitants of Jackson county, praying that Crow creek may be declared a public highway, which was read and referred to a select committee; whereupon messrs Norwood, Hudson of J. and Lusk, were appointed said committee.

On motion of mr Devereux; Resolved, That the committee on ways and means to be instructed to inquire into the expediency of taxing the stock and other property belonging to the Branch Bank of the United States, located within the limits of this State.

Mr Trotter offered the following resolution: Resolved, That the committee on privileges and elections be instructed to inquire into the expediency of establishing an election precinct at Patomepooker bluff, in Washington county. Mr Flournoy moved the following amendment; “and also at the house of Solomon Tears, senior, in Pickens county;’ which was adopted.

Mr Reaves introduced a bill to provide for the election of officers for the county of Pike, which was read, and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the second time and referred to the judiciary committee.

Mr McRea introduced a bill to be entitled an act to remunerate John Cockrill, for clearing and fencing a certain portion of University land, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and referred to the committee on propositions and grievances.

Mr Lockhart called up the joint resolutions in relation to the lands granted by the government of the United States to the French emigrant association for the cultivation of the vine and olive, lying in the counties of Greene and Marengo; which was read and ordered to a second reading.

Mr Keener introduced a bill to be entitled an act to organize the county of Barbour, and for other purposes, which was read and ordered to a second reading.

Mr Stewart introduced a bill to be entitled an act more effectually to secure the revenue arising to this State upon free persons of color, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and referred to a select committee, whereupon, messrs Stewart, Hubbard and Houston of L. were appointed said committee.

Mr Devereux introduced a bill to be entitled an act to amend the several acts now in force in this State, in relation to gaming; which was read and ordered to a second reading.

On motion of mr Fleming: Resolved, That military committee be instructed to inquire into the expediency of establishing a State arsenal in North Alabama, with leave to report by bill or otherwise.

Mr Hudson of F. introduced a bill to be entitled an act to authorise the judge of the county court of Franklin county, and commissioners of roads

and revenue to a levy a special tax for the purposes therein mentioned; which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the second time forthwith, and referred to a select committee; whereupon messrs Hudson of F. Richardson and Witherspoon were appointed.

Mr Carmack introduced preamble and joint resolution styled non-intercourse resolution; which was read. Ordered, that said resolution lie on the table, and that seventy-five copies be printed.

Mr Davis introduced a bill to be entitled an act for the benefit of Cornelius Cox, of Bibb county; which was read and ordered to a second reading.

Mr Hudson of F. introduced a bill to be entitled an act providing got the sale of State stock, which was read, and the constitutional provision being suspended, the bill was read the second time forthwith, and referred to the committee on the State Bank.

Mr Porter introduced a bill to be entitled an act to authorise Enoch Parsons, to establish and keep a ferry at Flat Creek, in Monroe county, which was read the first time, and the rule requiring bills to be read on three several days being dispenses with, the bill was then read the second time and referred to the committee on roads, bridges and ferries.

Mr Keener offered the following preamble and resolution: Whereas, the assessor and collector of taxes elected for Pike county, have been cut off by a division of the same into Barbour county ; Be it therefore resolved, That the judiciary committee be instructed to inquire into the fact, whether this legislature has the power to confine the said assessor and collector as before mentioned, to the county of Barbour ; which was adopted.

On motion of mr Hudson of F; Resolved, That the committee on in land navigation be instructed to inquire into the expediency of passing a law to enable the Tennessee canal commissioners to alter the plan of the improvements of the Tennessee river below Florence, so as to construct a canal instead of improving the bed of the river.

On motion of mr Creagh: Resolved, That the committee on inland navigation be instructed to inquire into the expediency of appropriating a portion of the three per cent. fund to improving the State roads from this place to Mobile, the one by way of Linden, Coffeeville and Washington court house; the other through the Cane Break, by Macon and Jackson.

The House then adjourned til three o'clock, this evening.

At three o'clock, P.M. a quorum not having assembled, mr Lee moved that the House adjourn until to-morrow morning, nine o'clock, which was carried; and then the House adjourned.

Wednesday, December 19–A quorum not having assembled, mr Richardson moved a call of the House, when the following members appeared and answered to their names, to wit: messrs Beck, Breedin, Brickell, Carmack, Coker, Cook, Davis Earle, Fleming, Fortson, Goodrich, Graham, Hall, Herbert, Houston of L. Houston of M. Hudson of J. Johnson, Keener, Lockhart, Lusk, Massey; Mason, Miree, Morrisette, Norwood, Oliver, Paul, Porter, Rather, Reaves, Rhodes, Richardson, Saunders, Simmons, Sumners, Tarrant, Thompson, Trotter, Ward, Ware, Weissinger and Young.

During the progress of the call a quorum assembled, and the House proceeded to business.

A message was received from the Senate by my Morton–mr Speaker; The Senate have passed the following bills, which originated in the House of Representatives; An act defining the liability of endorsers, and for other purposes, passed January 15, 1828; an act to amend an act entitled an act

to extend the powers of the county and orphans' court in certain cases, and for other purposes; an act to provide for taking the census for the year 1833, which they have amended as herewith shown; in which they ask the concurrence of the House of Representatives. The Senate have passed bills of the following titles, to wit, in which they ask the concurrence of the House of Representatives; an act for the relief of certain purchases of lots in the town of Marion, Perry county; joint resolutions in relation to the procuring of the journals of the Senate and House of Representatives of the Congress of the United States, an act to provide for legitimating bastard children, and to authorise the change of names; joint resolutions to Congress in relation to a third judicial district; an act making appropriations for claims against the State; an act to keep open the road leading from Childress' old place to Old Town, on the Black Warrior.

Mr Hill introduced a joint memorial to Congress, requesting pre-emption rights to settlers on the public lands, which was read, and referred to the select committee to which was referred other memorials on the same subject.

Mr. Ware introduced a bill to be entitled an act declaring the Tallapoosa river a lawful enclosure, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time. Mr Morrisette moved to amend it by adding the word "Alabama" after the word "Tallapoosa," which was adopted; the bill was referred to messrs Ware, Morrisette and Rhodes.

The House adjourned until to-morrow, nine o'clock.

Thursday, December 20–The engrossed bill entitled an act to provide for taking the census for the year 1833; the amendments by the Senate made to said bill being under considerations, mr Hudson of F. moved that the bill with the proposed amendments, be referred to a select committee, whereupon messrs Hudson of F. Rather and Brodnax, were appointed said committee.

The bill from the Senate entitled an act for the relief of certain purchasers of lots in the town of Marion, Perry county, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Joint resolutions from the Senate in relation to procuring the journals of the Senate and House of Representatives of the United States, was read the first time and ordered to a second reading.

The bill from the Senate entitled an act to provide for legitimating bastard children, and to authorise the change of names, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the committee on divorce and alimony.

Joint resolutions from the Senate in relation to the third judicial district was read the first time, and ordered to a second reading.

The bill from the Senate entitled an act making appropriations for certain claims against the State, was read the first time, and the rule requiring bills to be read on three several days being dispenses with, it was read the second time forthwith, and referred to the committee on accounts.

The bill from the Senate entitled an act to keep open the road leading from Childress' old place to Old Town, on the Black Warrior river, was read the first time and ordered to a second reading.

Mr Hudson of F. moved that the absentees on yesterday on mr Richardson's call of the House be excused for their non-attendance; which was agreed to.

Mr Weissinger presented the petition of sundry inhabitants of Perry county, praying to discontinue and establish certain election precincts therein named, which was read and referred to the committee on privileges and elections.

Mr Wilson, from the judiciary committee to whom was referred the bill entitled an act to establish and incorporate the town of Trenton, in the county of Tuscaloosa, reported the same without amendment, and the rule requiring bills to be read on three several days being dispenses with, the bill was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent up the Senate for their concurrence.

Mr Wilson, from the judiciary committee to whom was referred the bill from the Senate entitled an act to incorporate a company to build a bridge across the Black Warrior river, opposite the town of Tuscaloosa, reported the same without amendment; it was ordered to a third reading.

Mr Oliver made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to wit: an act for the relief of witnesses and jurors; an act to provide for the payment of talis jurors in the county of Fayette; an act to repeal in part an act entitled an act to raise a revenue for the support of government, until otherwise altered, passed January 20, 1832; an act to amend an act entitled an act defining the liability to endorsers, and for other purposes, approved, January 15, 1832; an act to amend an act entitled an act to extend the powers of the county and orphan's court in certain cases, and for other purposes, approved, January 16, 1830.

Mr Ormond made the following report; The committee on inland navigation have had before them the various bills and resolutions proposing appropriations from three per cent fund to make various improvements in the rivers and roads of the State, and have given to them that consideration which their importance demands; the result of their deliberations was a selection of such works of improvement of different sections of the State as seemed to them most to demand the instant attention of the legislature. They have embodied in one bill, except the bill from the Senate entitled an act to establish a State road from the town of Tuscaloosa to the Mississippi State line, by way of the town of Carrollton and Pickensville, in Pickens county, which they also recommend to the House to pass; they also present to the House a memorial to congress for a part of the two per cent. fund to make a road therein described; in all of which they respectfully ask the concurrence of the House. Ordered, that said report lie on the table.

Mr Ormond, from the same committee reported a bill to be entitled an act making appropriations from the three per cent fund for certain improvements therein named; which was read and ordered to a second reading.

Mr Ormond moved that all the bills, & c., embraced in the report, except the bill from the Senate entitled an act to establish a State road from the town of Tuscaloosa to the Mississippi State line, by way of the town of Carrollton and Pickensville, in Pickens county, lie on the table, which was agreed to; the bill was ordered to a third reading.

Mr Sumners, from the committee on roads, bridges and ferries, in the county of Mobile, reported the same without amendment, and ask leave to be discharged from the further consideration of the subject, which was

granted, the bill was ordered to be engrossed for a third reading.

first regiment of Alabama militia; reported a bill to be entitled an act to divide the first regiment of Alabama militia, which was read and ordered to a second reading.

Mr Fleming, from the military to whom was referred the bill entitled an act prescribing the time of holding the battalion musters in the sixteenth regiment, fourth brigade, and second division of Alabama militia, reported the same without amendment; the bill was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill entitled an act to incorporate the Claysville Independent Blues, of Jackson county, reported the same with the following amendment; "Provided the said company shall not be exempt, from working on roads, and attending battalion and regimental musters, which was adopted; the bill was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill entitled an act to exempt certain persons therein named from the performance of military and other duties, reported the same without amendment. Mr Hudson of F. moved to amend the bill by inserting after the word "Lauderdale," the word "Franklin" which was lost. Mr Carmack moved to amend the bill by adding thereto an additional section, number four, which was lost, the bill was ordered to be engrossed for a third reading.

Mr Ormond, from the judiciary committee to whom was referred the bill entitled an act to declare in what manner pardons and reprieves shall be granted, and fines and forfeitures remitted, reported a substitute in lieu thereof, which was adopted. The bill was ordered to be engrossed for a third reading.

A message was received from the governor by mr Thornton–my Speaker: The governor did on the 17th instant, approve and sign the following bills; An act to extend the limits of the town of Columbiana; an act more particularly defining the power of the commissioners of roads and revenue in certain cases therein specified; an act authorizing a lottery for the improvement of a road therein named; an act to incorporate the town of Lowndesborough in Lowndes county; and an act to establish certain counties therein named; all of which originated in the House of Representatives.

The House then proceeded to the orders of the day.

The bill entitled an act to regulate the election of members to Congress, was read the second time. mr Herbert moved that the further consideration of the bill be postponed until the second Monday in July next. mr Drish moved the previous question; and the question was, shall the call be sustained and carried? The main question was then put, viz: Shall the bill be postponed and lost? Yeas 30; nays 35.

The yeas and nays being demanded. those who voted in the affirmative, are messrs Speaker, Broadnax Coker Devereux Drish Hall Herbert Hubbard Hudson of F. Keener Lee McRea Miree Oliver Paul Perkins Porter Rather Reaves Rhodes Rugely Saunders Simmons Stewart Trotter Walker Ward Ware Williams and Wilson.

Those who voted in the negative are, messrs Beck Brickell Camp Carmack Cook Creagh Davis Earle Fleming Flournoy Fortson Goodrich Graham Hill Houston Moffett Morrisette Musgrove Norwood Ormond Richardson Scott Sumners Thompson Weissinger Witherspoon and Young.

Mr Mason moved that the bill lie on the table, which was carried.

Mr Oliver made the following report: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles, to wit: An act for the relief of the register and receiver of the land office at

Courtland, and an act for the relief of John S. Gorman.  The bill entitled

Mr Flournoy, from the military committee to whom was referred the petition of sundry inhabitants of Jackson county, praying for division of the an act to divide the State into five congressional districts, was read the second time. mr Hudson of F. moved the following amendment. “Strike out Talladega and Randolph in the seventh line, and in the ninth line after the word “Bibb” insert “Talladega and Randolph,” which was lost. mr Ormond moved to amend the bill by striking out the first section to insert the following: “That the State of Alabama shall be divided into five congressional districts, to consist of the counties, viz: The first district to consist of the counties of Jackson, Madison, Morgan, Blount, St. Clair, Benton, Talladega and Randolph. The second, of the counties of Limestone, Lauderdale, Lawrence, Franklin, Marion, Fayette and Walker. The third of the counties of Pickens, Tuscaloosa, Jefferson, Shelby, Bibb, Greene, Perry, and Sumpter. The fourth, of the counties of Autauga, Montgomery, Pike, Henry, Dale, Covington, Butler, Lowndes, Coosa, Tallapoosa, Chambers, Macon, Russell and Barbour. The fifth of the counties of Mobile, Washington, Baldwin, Clarke, Monroe, Wilcox, Marengo, Dallas and Conecuh. Each of which districts shall be entitled to elect one representative to the congress of the United States.

Mr Scott moved that the bill which represents the House to meet at three o’clock, p.m. be suspended; which was lost.

The House then adjourned until three o’clock, this evening.

Evening Session, three o’clock.–Mr Ormond asked leave to withdraw the amendment proposed to the bill entitled an act to divide the State into five congressional districts, which was granted.

Mr Mason moved that the following amendments: “Strike out “Limestone and Lauderdale,” in the first district, and insert “Morgan, Blount, St. Clair, Benton, Talladega and Randolph,” strike out “Morgan, Blount, St. Clair, Benton, Talladega, and Randolph” in the second district, and insert “Limestone and Lauderdale,” which was lost. Yeas 33; nays 37.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Camp Carmack Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Houston of L. Hudson of J. King Lockhart Lusk McAfee Massey Mason Moffett Morrissette Norwood Ormond Paul Richardson Scott Sumners Weissinger Williams Witherspoon and Young.

Those who voted in the negative are, messrs Breedin Brodnax Coker Cook Devereux Drish Earle Hall Herbert Hill Houston of M. Hubbard Hudson of F., Johnson Keener Lee McRea Miree Musgrove Oliver Perkins Porter Rather Reaves Rhodes Ross Rugeley Saunders Simmons Stewart Tarrant Thompson Trotter Walker Ward Ware and Wilson.

Mr Norwood moved to amend the bill by striking out the first section with a view to insert the amendment proposes by mr Ormond, and after wards withdrawn, which was lost—yeas 30, nays 40.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Beck, Camp, Carmack, Chamberlain, Creagh, Davis Fleming, Flournoy, Goodrich, Graham, Houston of L., Hudson of J., King, Lockhart, Lusk, McAfee, Massey, Mason Moffett, Morrisette, Norwood, Ormond, Richardson, Scott Sumners, Weissinger, Williams, Witherspoon and Young.

Those who voted in the negative are, Messrs Speaker, Breedin, Broadnax, Coker, Cook, Devereux, Drish, Earle, Fortson, Hall Herbert, Hill, Houston of M. Hubbard, Hudson, of F. Johnson, Keener, Lee, McRea, Miree, Musgrove, Oliver, Paul, Perkins, Porter, Rather, Reaves, Rhodes, Ross Rugely, Saunders, Simmons, Stewart, Tarrant, Thompson, Trotter, Walker, Ward, Ware, and Wilson.

Mr Tarrant who voted in the majority, on rejecting mr Norwood’s

amendment, moved to reconsider the vote, which was lost. Yeas 34; nays 35.

The yeas and nays being demanded those who voted in the affirmatives are Messrs Beck, Breedin, Brickell, Camp Carmack, Chamberlain, Creagh, Davis, Fleming.

Flournoy, Goodrich, Graham, Hall, Hill, Houston of L. Hudson of J., King, Lockhart, Lusk, Massey, Mason, Moffett, Morrisette, Norwood, Ormond, Porter, Richardson, Scott, Sumners, Tarrant Weissinger, Williams, Witherspoon and Young.

Those who voted in the negative are Messrs Speaker, Broadnax, Coker, Cook Devereux, Drish, Earle, Herbert, Hudson, of M. Hubbard, Hudson of F. Johnson, Keener, Lee, McAfee, McRea, Miree, Musgrove, Oliver, Perkins, Rather, Reaves, Rhodes, Ross, Rugely, Saunders, Simmons, Stewart, Thompson, Trotter, Walker, Ward, Ware and Wilson.

Mr Tarrant then moved that the bill lie on the table, upon a question of order.

A question was taken on striking out the first section of the bill and lost afterwards a motion was made to amend the section, this was determined by mr Speaker to be out of order; from this decision, mr Ormond appealed; the decision of mr Speaker was sustained; only one dissenting voice.

The question recurred on mr Tarrant's motion. mr Ware moved the previous question; the question was, Shall the call be sustained, and carried; the main question was then put, to wit: Shall this bill lie on the table? And carried: yeas 36; nays 34.

The yeas and nays being demanded, those who voted in the affirmative are messrs Beck Bredin, Brickell Camp Carmack Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Hudson of J. King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Norwood Ormond Richardson Scott Summers Tarrant Thompson Weissinger Williams Witherspoon and Young.

Those who voted in the negative, are messrs Speaker Brodnax Coker Cook Devereux Drish Earle Herbert Houston of M. Hubbard Hudson of F. Johnson Keener Lee McRea Miree Musgrove Oliver Paul Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Stewart Trotter Walker Ward Ware and Wilson.

The House then adjourned until to-morrow morning, nine o'clock.

Friday, December 21–A message was received from the Senate by mr Connor–mr Speaker: The Senate have passed bills which originated in the House of Representatives, of the following titles: An act to enable sheriffs and coroners to take recognizances in certain cases therein named; an act for the relief of Abram Nabors, late tax collector in Shelby county, in 1829, an act to incorporate the merchant's insurance company in Huntsville; and an act to establish a State road from the town of Tuscaloosa to the Mississippi State line in the direction to Jackson, in the State of Mississippi, which they have amended as herewith shown, in which they ask the concurrence of your honorable body. Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act to establish a State road from the town of Tuscaloosa to the Mississippi State line in the direction of Jackson, in the State of Mississippi.

Mr Ormond, from the judiciary committee to whom was referred a resolution instructing them to inquire into the expediency of passing a law prohibiting the circulation of all notes under denomination of five dollars from banks of other States, reported that it is inexpedient to pass such a law, in which report the House concurred.

The same committee to whom was referred a resolution instructing them to inquire into the power of the legislature to confine the tax collector elected for the county of Pike, to the county of Barbour, reported that as the said tax collector was elected, he has a vested interest in the office of which the legislature cannot deprive him: they are therefore of opinion, that the legislature has no power to pass such a law, in which report the House concurred.

The same committee to whom was referred an act to provide for the elec-

tion of officers for the county of Pike, reported that it is not expedient to pass the law, as there are now county offices. mr Reaves, moved that the House disagree to said report, which was carried. The bill was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill entitled an act better to regulate escheats, reported the same without amendment. The bill was ordered to be engrossed for a third reading.

Mr Flournoy from the committee on divorce and alimony, to which was referred the bill entitled an act to provide for legitimating bastard children, and to authorise the change of named, reported the same without amendment, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Ormond called up the report made on yesterday by the committee on inland navigation. Ordered, that the House concur in said report.

The committee on inland navigation, reported a joint memorial to the Congress of the United States, which was read the first time, and the rule requiring bills and joint resolutions to be read on three several days being dispensed with, it was read a second time forthwith. Mr Flournoy moved to refer the memorial to the judiciary committee, which was lost; it was then ordered to be engrossed for a third reading.

Mr Ormond from the judiciary committee to whom was referred the bill from the Senate, entitled an act to provide for the election of justices of the peace and constables, reported the same without amendment. mr Hudson of F. moved that the bill be indefinitely postponed, which was lost; yeas 32, nays 39.

The yeas and nays being demanded, those who voted in the affirmative are messrs Brodnax Carmack Coker Cook Davis Devereux Flournoy Fortson Goodrich Hall Houston of M. Hubbard Hudson of F. Johnson Lusk M'Afee M'Rea Massey Miree Musgrove Norwood Rather Rhodes Simmons Stewart Sumners Tarrant Thompson Walker Ward Williams and Young.

Those who voted in the negative are Messrs Speaker Beck Breedin Brickell Camp Carithers Chamberlain Creagh Drish Earle Fleming Graham Hall Herbert Houston of L. Hudson of J. Keener King Lee Lockhart Mason Moffett Morrisette Oliver Ormond Paul Perkins Porter Reaves Richardson Ross Rugely Saunders Scott Trotter Ware Weissinger Wilson and Witherspoon.

Mr Reaves moved the previous question, and the question was shall the call be sustained and carried. The main question was then put, viz: shall the bill be read a third time? and passed in the affirmative.

Mr Ormond from the judiciary committee to whom was referred joint resolutions proposing amendments to the constitution of the State of Alabama, reported a substitute in lieu thereof, which was adopted: it was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill from the Senate, entitled an act to amend an act to incorporate and empower religious societies of every denomination to hold real estate, reported the same with amendment; the bill was ordered to a third reading.

Mr Fleming from the military committee to whom was referred that report of the quarter master general for the year 1832, reported that on an examination of the arms now in the arsenal, find them to be in good order; the committee respectfully ask to be discharged from the further consideration of the same, which was granted. Ordered, that the report lie on the table.

Mr Hudson of F. moved to suspend the orders of the day for the present, for the purpose that the several committees may make their reports which was lost.

The House then proceeded to the orders of the day.

The bill entitled an act to divide the State into five congressional districts, was read the second time. Mr Hill moved the following amend

ment, “strike out Talladega and Randolph from the first district, for the purpose of inserting them in the third.” mr Hudson of F. moved that the bill lie on the table, which was lost: yeas 35, nays 35.

The yeas and nays being demanded, those who voted in the affirmative, are Messrs Speaker Carithers Coker Cook Devereux Drish Earle Hall Herbert Houston of M. Hubbard Hudson of F. Johnson Keener Lee McRea Miree Musgrove Oliver Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Stewart Thompson Trotter Walker Ward Ware and Wilson.

Those who voted in the negative are Messrs Beck Breedin Brickell Camp Carmack Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Hill Houston of L. Hudson of J. King Lockhart Lusk M’Afee Massey Mason Moffett Morrisette Norwood Ormond Paul Richardson Scott Sumners Tarrant Weissinger Wil liams Witherspoon and Young.

Mr Hudson of F. moved to amend mr Hill’s amendment with the following; “also strike out Benton, St. Clair, Blount and Morgan:” upon a question of order, a motion had been made to amend the first section of the bill by striking out the counties of Talledega and Randolph. A motion was then made to amend the amendment by striking out other counties, viz: Benton, St. Clair, Blount and Morgan. mr Creagh made a point of order and objected to the amendment as being out of order. mr Speaker determined that the amendment to the amendment was in order. Mr Creagh appealed from the decision. The House sustained mr Speaker in the decision. Mr Hudson of F. then asked leave to withdraw his amendment to the amendment, which was granted. Mr Lea then moved that the bill be indefinitely postponed, which was lost: yeas 35, nays 36.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Brodnax Carithers Coker Cook Devereux Drish Hall Herbert Houston of M. Hubbard Hudson of F. Johnson Keener Lea McRea Miree Musgrove Oliver Perksins Porter Rather Reaves Rhodes Ross Rugely Saunders Stewart Simmons Thompson Trotter Walker Ward Ware and Wilson.

Those who voted in the negative are messrs Beck Breedin Brickell Camp Carmack Chamberlain Creagh Davis Earle Fleming Flournoy Fortson Goodrich Graham Hill Houston of L. Hudson of J. King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Norwood Ormond Paul Richardson Scott Sumners Tarrant Weissinger Williams Witherspoon and Young.

The question recurred on mr Hill’s amendment. A division of the question being called for, the vote was taken on striking out and lost: yeas 28, nays 43.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Beck Brick ell Camp Carmack Chamberlain Creagh Davis Fleming Goodrich Graham Hill Houston of L. Hudson of J. King Lockhart Lusk Massey Mason Morrisette Norwood Ormond Paul Richardson Scott Sumners Tarrant Weissinger and Young.

Those who voted in the negative are messrs Speaker Breedin Carithers Coker Cook Devereux Drish Earle Flournoy Fortson Hall Herbert Houston of M. Hubbard Hudson of F. Johnson Keener Lee McAfee McRea Miree Moffett Musgrove Oliver Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Stewart Thompson Trotter Walker Ward Ware Williams Wilson and Witherspoon.

.Mr Rather then moved that the further consideration of the bill be postponed until Monday two weeks, which was carried : yeas 36, nays 35.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Brodnax Carithers Coker Cook Devereux Drish Earle Hall Herbert Houston of M. Hubbard Hudson of F. Johnson Keener Lee McRea Miree Musgrove Oliver Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Stewart Thompson Trotter Walker Ward Ware and Wilson.

Those who voted in the negative are messrs Beck Breedin Brickell Camp Carmack Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Hill Houston of L. Hudson of J. King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Norwood Ormond Paul Richardson Scott Sumners Tarrant Weissinger Williams Witherspoon and Young.

Mr Scott moved to suspend the special orders of the day for the present, which was agreed to.

Mr Scott moved to call up the bill entitled an act to regulate the election of members to Congress, which was agreed to: yeas 36, nays 35.

The yeas and nays being demanded, those who voted in the affirmative are Messrs Beck Breedin Brickell Camp Carmack Chamberlain Creagh Davis Flournoy Fortson Good-

rich Graham Herbert Hill Houston of L. Hudson of J. King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Norwood Ormond Richardson Scott Sumners Tarrant Weissinger Wilson Witherspoon and Young.

Those who voted in the negative are messrs Speaker Brodnax Coker Cook Devereux Drish Earle Hall Houston of M. Hubbard Hudson of F. Johnson Keener Lee McRea Miree Musgrove Oliver Paul Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Stewart Thompson Trotter Walker Ward Ware and Williams.

The bill was then read the second time. Mr Herbert then moved that the further consideration of the bill be postponed until Wednesday next two weeks, which was carried: yeas 39, nays 32.

The yeas and nays being demanded, those who voted in the affirmative are Messrs Speaker Breedin Brodnax Carithers Coker Cook Devereux Drish Earle Hall Herbert Houston of M. Hubbard Hudson of F. Johnson Keener Lee McRea Miree Musgrove Oliver Paul Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Stewart Thompson Trotter Walker Ward Ware Williams and Wilson.

Those who voted in the negative are messrs Beck Brickell Camp Carmack Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Hill Houston of L. Hudson of J. King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Norwood Ormond Richardson Scott Sumners Tarrant Weissinger Witherspoon and Young.

A message from the Senate by mr Morton: mr Speaker: The Senate insist on their amendment to the bill entitled an act to incorporate the Bell factory of Madison county, by striking from the first section the words, “shall have perpetual succession and.” They have passed a bill entitled an act for the relief of Thomas Mitchell, of Jefferson county, in which they ask the concurrence of your honorable body. Ordered, that the House concur in the amendment made by the Senate to the bill entitled an act to incorporate the Bell factory of Madison county.

The bill from the Senate entitled an act for the relief of Thomas Mitchell of Jefferson county, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time and referred to the committee on propositions and grievances.

The joint resolutions on the tariff laws, was read the second time; the question was to order them to a third reading.

The House adjourned until three o’clock this evening.

Evening Session, three o’clock.– The House resumed the consideration of the resolutions on the subject of the tariff. Mr Brodnax moved that the further consideration of the resolutions be postponed until Monday next, which was lost: yeas 12, nays 59.

The yeas and nays being demanded, those who voted in the affirmative are messrs Breedin Brodnax Coker Cook Devereux Herbert Lee Miree Oliver Ward Ware and Wilson.

Those who voted in the negative are messrs Speaker Beck Brickell Camp Carmack Carithers Chamberlain Creagh Davis Earle Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lockhart Lusk McAfee McRea Massey Mason Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Weissinger Williams Witherspoon and Young.

A message from the Governor by Edwin J. Osbourne :

To the Senate and House of Representatives of the State of Alabama:

I respectfully request of the General Assembly to be informed whether my absence from the Seat of Government until Wednesday next, will retard, or in anywise injuriously affect their proceedings.

Signed. JOHN GAYLE

Ordered, that said communication lie on the table.

On motion of mr Hudson of F. : Resolved, that with the concurrence

of the Senate, a committee be appointed to act with such committee as may be appointed on the part of the Senate, to wait on his Excellency the Governor, and inform him that his absence until Wednesday next, will not retard, or in any manner injuriously affect the proceedings of the legislature : Whereupon messrs Hudson of F. Hubbard, Fleming and Rather, were appointed said committee.

On motion of mr Porter: Resolved, that the ladies be invited to seats within the bar of the House.

The House resumed the consideration of the joint resolutions on the subject of the tariff laws.

The House then adjourned until to-morrow morning nine o'clock.

Saturday, December 22, 1832–A message from the Senate by mr Connor, their secretary: mr Speaker: The Senate have rejected a bill from the House of Representatives, entitled an act for the relief of James Elliott and John S. Rhea, of Franklin county. They have passed a bill entitled an act for the improvement of the navigation of the rivers and the roads of this State, in which they ask the concurrence of the House of Representatives.

The bill from the Senate entitled an act for the improvement of the navigation of the rivers and roads in this State, was read the first time, and the rule requiring bills to be read on three several days being dispensed with the bill was read the second time forthwith, and referred to the committee on inland navigation.

Mr Wilson presented the account of K. A. Baird, of Tuscaloosa, which was read and referred to the committee on accounts.

Mr Fleming called up the communication of the adjutant and inspector general: it was referred to the military committee.

Mr Creagh presented the petition of sundry inhabitants of Clarke county, praying the passage of a law to authorise the sale of the sixteenth section in township, No. 9, in range No. 1, west, to establish an academy in the town of Coffeeville, in Clarke county, to be styled Pendleton academy, which was read and referred to the committee on education.

Mr Flournoy presented the petition of sundry inhabitants of Pickens county, praying to establish a ferry on Tombigbee river, to be know by the name of McDonalds and Moblys ferry, which was read. Ordered, that the petition lie on the table.

Mr Houston of M. from the committee on roads, bridges and ferries, to which was referred the bill from the Senate, to review and change the State road leading from Prims's store in Dallas county, to Montevallo in Shelby county, reported that it is inexpedient to legislate on the subject, as a law has passed this House, giving the judges of the county court and commissioners of roads and revenue, jurisdiction in their respective counties, over all State roads, in which they ask the concurrence of the House; in which report the House concurred.

Mr Brodnax from the committee on roads, bridges and ferried, to whom was referred the bill entitled an act to authorise Enoch Parsons to establish and keep a ferry on Flat creek, in Monroe county, reported the same without amendment: the bill was ordered to be engrossed for a third reading.

Mr Mason from the judiciary committee to whom was referred a resolution directing them to inquire into the expediency of passing a law to provide for the settlement of accounts of executors, administrators and guardians, where the judge of the county court has been employed as counsel, or may be otherwise interested in said settlement, reported a bill to be entitled an act to provide for the settlement of the estates of deceased persons in certain cases therein mentioned, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the second time forthwith. Mr Flournoy moved to amend it by way of the following proviso: Provided, however, that nothing in this act contained, shall be so construed as to repeal the law passed at the last annual session of the General Assembly, entitled an act for the relief of George H Flournoy, judge of the county court of Pickens county, which was adopted, the bill was ordered to be engrossed for a third reading.

Mr Moffett from the committee on accounts, to whom was referred the

account of Hastens Poe, for attendance as a witness in the circuit court of St. Clair county, in the case of the State against John Franklin, reported that the account is properly chargeable to the county, and not to the State; and ask leave to be discharged from the further consideration thereon, which was granted.

The same committee to whom was referred the account of Francis Bugby, for discharging the duties of attorney general at the fall term of the circuit court of St. Clair county, for the year 1832, reported that said account is not chargeably to the State and ought not to be allowed ; and ask leave to be discharged from the further consideration of the subject. mr McAfee moved to refer the account to the committee on propositions and grievances, which was lost–the report was laid on the table.

A message was received from the Senate by mr Morton; mr Speaker; The Senate have passed a bill to be entitled an act for the sale of State stock, in which they ask the concurrence of the House of Representative.

The bill from the Senate entitled an act for the sale of State stock, which was read the first time and the rule requiring bills to be read on three several days being dispensed with the bill was read the second time forthwith and referred to the committee on the State bank, with instructions to report without delay.

Mr Rhodes from the committee on the State bank, to whom was referred a bill entitled an act providing for the sale of State stock, reported the same to the House without amendment : the bill was ordered to be engrossed for a third reading.

Mr Ormond from the judiciary committee to whom was referred the bill entitled an act to authorize the appointment of deputy clerks, reported the same without amendment–the bill was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill entitled an act requiring the judges of the circuit court of Mobile county, to class the cases for trial, reported a substitute in lieu thereof, which was adopted; the bill was ordered to be engrossed for a third reading.

The same committee to whom was referred the bill entitled an act to amend the several acts regulating the attendance of witnesses and the taking of depositions, adopted the following amendment: “Strike out the first section of the bill,” which was adopted–the bill was ordered to be engrossed for a third reading.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled, an act to incorporate the Daletown, Woodville and Greensborough rail road company.

Mr Ormond from the judiciary committee to whom was referred a resolution instructing them to inquire into the expediency of repealing so much of the existing law, as make it the duty of justices of the peace to take cognizance of oaths, reported a bill to be entitled an act to repeal in part an act entitled an act for the suppression of vice and immorality, which was read and ordered to a second reading.

The same committee to whom was referred the bill entitled an act to provide for the appointment of commissioners without this State, to take testimony, & c.; reported a substitute in lieu thereof, which was adopted–the bill was ordered to be engrossed for a third reading.

Mr Houston of M. from the committee on roads, bridges and ferries, to which was referred the petition of sundry citizens of the counties of Greene and Marengo, praying a change of the State road, leading from Greensborough to Mobile, reported that it is inexpedient, as a general law has passed

the House on that subject, and ask leave to be discharged from the further consideration thereof, which was granted.

Mr Drish made the following report: The committee on emancipation, to whom was referred a resolution instructing them to inquire into the expediency of passing a law prohibiting free persons of color from trading in merchandise, arms and munitions of war, have had the same under consideration, and a majority of the same are of opinion that so far as their knowledge extends, there has been no great evil growing out of such traffic by that part of the population, at least not within their respective counties; and therefore do not conceive it necessary to legislate at this time on that subject. They would further respectfully suggest to the House, whether too much restriction on this part of our population might not be productive of bad consequences. Whether they might not by being thus restricted in free trade, become enemies of a most implacable character. Whether fettering men who are free, although not entitled to all the rights of a free citizen, might not be productive of worse harm than good. There is known to your committee no precedent in any of the sister States, by which they are enabled to judge of the good or bad effects of such restrictions. Your committee have no doubt that there are circumstances in which the State might be placed, in which it would render such a measure a very salutary and safe one; and which would imperiously demand such a course of safety for her citizens. Your committee are not well assured, that a law proposed by the resolution, would be unconstitutional. There can be no doubt entertained, that cases have occurred, and probably may again occur, where this class of our population abuse the privileges they enjoy, to the great annoyance of their neighborhoods, and the great injury of the white citizens around them: But nevertheless, it is not good policy for us to legislate oppressively upon the whole of this part of our population, for the bad conduct of a few, or rather, should the many suffer for the faults of a few. Your committee would most cheerfully acquiesce and recommend to the House, the support of any local measure, in accordance with the resolution submitted to them, if a grievance of the kind alluded to be the reolution, exist in any section of our State. In all of which they respectfully ask the concurrence of the House.

Mr Creagh moved that the report lie on the table, which was carried.

Mr Drish, from the committee on emancipation to whom was referred the petition of Cyrus Evans, reported that it is inexpedient to act further on the subject, and ask leave to be discharged from the further consideration thereof, which was granted.

Mr Hudson of F. from the select committee to whom was referred the bill entitled an act to authorise the judge of the county court of Franklin county, and the commissioners of revenue and roads to lay on a special tax for the purpose therein named, reported sundry amendments, which were adopted. The bill was ordered to be engrossed for a third reading.

Mr Ware, from the select committee to whom was referred the bill entitled an act declaring the Tennessee, Alabama and Tallapoosa rivers, lawful inclosures, reported a substitute thereof, which was adopted. Mr Trotter moved to amend the bill by inserting the word “Tombeckbee,” which was adopted. Mr Wilson moved to amend it by inserting the word “Black Warrior,” which was adopted. The bill was ordered to be engrossed for a reading.

A message from the Senate by mr Morton–mr Speaker: The Senate have passed a bill entitled an act authorising Julien S. Devereux, administrator of the estates of Mary and Milton Bradley, deceased, to transfer the

papers and proceedings belonging to said estates, from the county of Covington to the county of Conecuh. They have also passed a bill entitled an act to authorize the Tennessee canal commissioners to alter the plan of improvements on that river, and to direct the receiver of the land office at Courtland where to make his deposites: in all of which they ask the concurrence of the House of Representatives.

Mr Lee moved that the special orders of the day be suspended, for the present, which was agreed to.

The bill entitled an act making appropriations from the three per cent. fund for certain improvements therein named, was read the second time.

Mr Musgrove moved to amend the first section with the following: After the word "fork" and before the word "of" insert the following: "and Miller's ferry on the Mulberry fork," which was adopted. Yeas 56--nays 10.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck Breedin Brickell Brodnax Carmack Carithers Cooker Davis Devereux Drish Earle Flournoy Goodrich Graham Hall Hill Houston of L. Houston of M. Hubbard Hudson of F. Johnson Keener Lee Lockhart Lusk McAfee Massey Mason Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Perkins Porter Rather Reaves Ross Rugely Scott Simmons Stewart Tarrant Thompson Trotter Walker Ward Ware Weissinger Wilson Camp Chamberlain Creagh Fleming Fortson Herbert Hudson of J. Paul Richardson and Saunders.

Mr Massey moved the previous question; and the question was, Shall the call be sustained? and lost.

Mr Hudson of F. moved to refer the bill to the committee on inland navigation. mr Paul moved that the bill be indefinitely postponed.

The House then adjourned until three o'clock, this evening.

Evening Session, three o'clock– The bill from the Senate authorising Julien S. Devereux, administrator of the estates of Mary and Milton Bradley, deceased, to transfer the papers and proceedings belonging to said estates, from the county of Covington to the county of Conecuh, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith and passed. Ordered, that the titled be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The bill entitled an act to authorize the Tennessee canal commissioners to alter the plan of improvements on that river, and to direct the receiver of the land office at Courtland, where to make his deposites, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read on a second time forthwith, and referred to the committee on inland navigation.

The House resumed the consideration of mr Paul's motion to postpone indefinitely the bill entitled an act making appropriations from the three per cent. fund, for certain improvements therein named. Mr Paul moved a call of ths House, which was disagreed to mr Paul asked leave to withdraw his motion for the indefinite postponement of the bill, which was granted. The question recurred on mr Hudson of F's motion to refer the bill to the committee on inland navigation, with the following instructions offered by mr Paul; "Strike out the bill at the appropriations but those to the great rivers, to wit: Alabama, Tombeckbee, Coosa, Black Warrior, Cahawba and Tallapoosa:' a division of the question being called for, the vote was first taken on the reference only, and lost. Yeas 18; nays 46.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Brickell Brodnax Camp Creagh Davis Goodrich Hall Herbert Hudson of F. Johnson Keener Morrisette Musgrove Oliver Paul Simmons and Stewart.

Those who voted in the negative, are messrs Speaker Beck Breedin Carmack Carithers Coker Cook Davis Devereux Earle Fleming Flournoy Graham Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lee Lockhart Lusk McAfee Massey Mason Miree Moffett Norwood Ormond Rather Reaves Richardson Ross Rugely Saunders Scott Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson and Young.

Mr Herbert moved that the further consideration of the bill be postponed until the first day of March next, which was lost. Yeas 20, nays 47.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Speaker Beck Brickell Coker Cook Creagh Drish Herbert Keener Lockhart Oliver Paul Porter Reaves Ross Saunders Walker Ward Ware and Williams.

Those who voted in the negative are, messrs Breedin Brodnax Camp Carmack Carithers Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Graham Hall Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson King Lee Lusk McAfee Massey Mason Miree Moffett Morrisette Musgrove Norwood Ormond Perkins Rather Richardson Rugely Scott Simmons Stewart Tarrant Thompson Trotter Weissinger Wilson Witherspoon and Young.

Ordered, that mr Sumners have leave of absence until Monday evening next.

The House resume the consideration of the bill entitled an act making appropriations from the three per cent. fund for certain improvements therein named. mr Davis moved to amend the first section of the bill, by inserting between the words “the” and “roads” the word “State,” which was adopted. Mr Hudson of F. moved to refer the bill to the committee on ways and means, which was lost. Yeas 23; nays 45.

The yeas and nays being demanded those who voted in the affirmative are, messrs Speaker Beck Brodnax Coker Cook Creagh Drish Hall Herbert Hudson of F. Johnson Keener Morrisette Oliver Paul Porter Reaves Ross Saunders Walker Ward Williams and Wilson.

Those who voted in the negative; are messrs Breedin Brickell Camp Carmack Carither Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Graham Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lee Lockhart Lusk McAfee Massey Mason Miree Moffett Musgrove Norwood Ormond Perkins Rather Rhodes Richardson Rugely Scott Simmons Stewart Tarrant Thompson Trotter Ware Weissinger Witherspoon and Young.

At half past five o’clock, p.m. mr Reaves moved that the House adjourn until Monday, nine o’clock, which was lost. Yes 24; nays 44.

The yeas and nays being demanded those who voted in the affirmative, are messrs Speaker Beck Brodnax Camp Coker Cook Creagh Drish Keener Morrisette Oliver Paul Perkins Porter Reaves Rhodes Ross Rugely Saunders Simmons Walker Wars Williams and Wilson.

Those who voted in the negative are messrs Breedin Brickell Carmack Carither Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Graham Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson King Lee Lockhart Lusk McAfee Massey Mason Miree Moffett Musgrove Norwood Ormond Rather Richardson Scott Stewart Tarrant Thompson Trotter Ware Weissinger Witherspoon and Young.

The bill making appropriations from the three per cent. fund for certain improvements therein named, being in its second reading.

Mr Johnson moved the following amendment: “Strike out one thousand dollars from the appropriations to the Coosa river, and one thousand dollars from the appropriation to the Black Warrior river below Tuscaloosa, and apply the same to the opening a road from Gunter’s landing, on Tennessee river to Blountsville, in Blount county, the nearest and best route.” A division of the question being called for, at six o’clock, p.m. mr Mason moved that the House adjourn until Monday morning, nine o’clock; which was lost. Yeas 23; nays 45.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck Brickell Brodnax Coker Cook Creagh Drish Hall Houston of L. Houston of M. Hudson of F. Mason Morrisette Perkins Porter Rather Reaves Ross Saunders Walker Ward and Williams.

Those who voted in the negative are, messrs Breedin Camp Carmack Carithers Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Graham Herbert Hill Hubbard Hudson of J. Johnson Keener King Lee Lockhart Lusk Massey Miree Moffett Musgrove Norwood Oliver Ormond Paul Rhodes Richardson Rugely Scott Simmons Stewart Tarrant Thompson Trotter Ward Weissinger Wilson Witherspoon and Young.

Mr Herbert moved a called of the House; upon a question of order, mr Speaker decided that a call of the House could not take place unless ordered by a majority of the members present, which decision was sustained by the House–yeas 35; nays 28.

Those who voted to sustain the chair, are messrs Breeding Brickell Carmack Carithers Chamberlain Coker Davis Devereux Earle Fleming Flournoy Goodrich Graham Hall Hill Houston of M. Hubbard Hudson of J. Johnson Lee Lockhart Lusk Massey Miree Norwood Ormond Perkins Scott Stewart Tarrant Thompson Weissinger Witherspoon and Young.

Those who voted against, are messrs Beck Brodnax Camp Cook Creagh Drish Houston of L. Hudson of F. Keener King McAfee Mason Morrisette Musgrove Oliver Paul Rather Reaves Rhodes Richardson Ross Rugely Saunders Walker Ward Ware Williams and Wilson.

The House then adjourned until to-morrow morning, nine o'clock.

Monday, December 24–mr Hudson offered the following as one of

the rules of this House, fifteen members shall have power at any time during the progress of business, to order a call of the House, and send for absent members, which lies over one day for consideration.

Mr Chamberlain presented the petition of William T. Ransovall, praying to continue a ferry over Dog river, in the county of Mobile, which was read. Mr Breedin moved that the petition lie on the table, which was lost. mr Creagh moved to refer it to the judiciary committee, which was carried.

Mr Goodrich presented the petition of sundry inhabitants of Jackson county, praying the repeal of a certain law therein named, which was read and ordered to lie on the table.

Mr Goodrich presented the petition of sundry inhabitants of Jackson county, praying the establishment of an election precinct at Absalom Coffers, in said county, which was read and referred to the committee on privileges and elections.

Mr Williams presented the petition of sundry inhabitants of Tuscaloosa county, on the subject of the road laws, which was read and referred to the committee on roads, bridges, and ferries.

Mr Williams presented the memorial of Jesse Tyree, of Walker county, praying that Black Water creek be declared a public highway, which was read and ordered to be referred to the committee on inland navigation.

Mr Cook from the committee on propositions and grievances to whom was referred the petition of John Cockrill, and also a bill entitled an act to remunerate John Cockrill, for clearing and fencing a certain piece of university land, reported said bill with an amendment proposed as follows, viz : To fill the blank in said bill with the words “four hundred and thirty eight dollars.” mr Hudson of F. moved that the bill lie on the table, which was carried.

The same committee to whom was referred the petition of sundry persons’ for the relief of Matthew Fontaine Goode, reported a bill to be entitled an act for the relief of Matthew F. Goode, which was read and orderred to a second reading.

Mr. Brodnax, from the committee on roads, bridges and ferries, to whom was referred the bill entitled an act authorizing certain persons therein named, to clear out and turnpike a road from the Wetumpka falls to the Syllicagga, reported the same without amendment, and recommend its passage.

Mr Brodnax moved to amend it by way of proviso, at the end of the last section, which was adopted; it was ordered to be engrossed for a third reading.

Mr Houston of m. from the committee on roads, bridges, and ferries, to which was referred the petition of sundry citizens of Clarke and Marengo counties, praying a change of the State road from Thomas Hozea’s store in the county of Marengo, to the mill of James Peckens, Esq. in said county, reported that it is inexpedient, as a general law has passed this House on that subject, and ask leave to be discharged from the further consideration of the subject; which was granted.

The same committee to whom was referred a resolution instructing them to inquire into the expediency of letting the improvement, repair and keeping of the public roads of each county in this State out to contractors, as well as the propriety of converting the present personal services required of hands, into an assessment of money to be applied to the improvement of roads, &c., reported that it inexpedient to legislate on the subject, and ask leave to be discharged from the further consideration thereof, which was granted.

Mr Rhodes, from the committee on the State Bank, to whom was referred the bill from the Senate entitled an act for the sale of State stock, reported the same without amendment, and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the third time forthwith, and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Ormond moved the following as one of the rules of this House, which lies over one day for consideration. Rule: When the House is in session, and a quorum present, on third of the members present shall be required to sustain a call of the House, and such call shall stop proceedings on the subjects then under discussion one hour; at the expiration of which time, it shall be resumed, but after a call of the House. The House shall not adjourn unless two thirds agree to it, until after the expiration of half an hour, and there shall be but one call of the House during any one day on the same subject matter.

Mr Hudson of F. from the select committee to whom was referred the bill entitled an act to provide for taking the census for the year 1833, reported that they recommend to the House, to disagree to the amendment made by the Senate to said bill, in which report the House concurred.-- Ordered, that the clerk acquaint the Senate therewith.

A message was received from the Senate by mr Connor: mr Speaker: The Senate have passed bills which originated in the House of Representatives, of the following titles, to wit: An act to allow the tax collector of Covington county, twenty-five per centum on th amount of taxes he collects, for the county; an act for the relief of Thomas G. Tyers, tax collector of Limestone county. They have also passed the following bills from the House of Representatives, which they have amended as set forth in each bill: An act providing for the completion and enclosure of the State capitol, and for other purposes; an act to repeal in part and amend an act to regulate the rate of interest, passed December 17th, 1819; an act for the relief of Ludwell W. Taylor, and others; In which amendments they ask the concurrence of the House of Representatives. They have adopted the following resolution: Resolved, that with the concurrence of the House of Representatives, the two Houses will assemble in the representative hall at the hour of 3o'clock, P.M. on Thursday next, for the purpose of electing a judge of the county courts of th several counties established at the present session of the general assembly, except the county of Talladega. They have also passed bills which originated in the Senate, of the following titled; to wit: An act to amend an act further to amend the charter of the bank of the State of Alabama, an act to repeal in part an act therein named, and for other purposes; joint memorial to the Congress of the United States, in relation to the improvement of the Tennessee river; an act to authorise the election of a justice of the peace, and other officers, in the county of Pickens; In all of which the concurrence of the House is respectfully asked.

A message was received from the Governor by mr Thornton, which is as follows: mr Speaker: The Governor did on the 21st, approve and sign the following bills: An act to alter and define the boundaries of the county of Baldwin, an act regulating the time of making payment upon lands sold at the land office in Courtland; an act to establish the permanent seat of justice in the county of Henry, and for other purposes, an act to amend an act entitled an act, defining the liability of endorsers, and for other purposes, approved January 15th, 1828, an act to divide the third regiment of the militia of this State, and for other purposes, an act to establish a bridge on

the Fish dam food, on Flint river, in Morgan county; an act to change the time of holding the county courts of Lauderdale county; an act to incorporate the Chickasawbogue creek navigation company; an act to amend the charter of the city of Mobile; an act to repeal in part an act entitled an act to raise a revenue for the support of government, until otherwise altered by law, passed the 20th January, 1832, an act to authorise David Meredith to turnpike a certain road therein named; an act to proved for the payment of talis-juros, in the county of Fayette, an act for the relied of the tax collector of Walker county, an act to enable Robert H Watkins, to erect a dam in the Tennessee river, an act for the relief of witnesses and jurors an act to amend an act entitled an act, to extend the powers of the county and orphan's court in certain cases, and for other purposes, approved Jan. 15th, 1830, an act to authorise an election of a justice of the peace and constable, in the town of Centreville, in Bibb county, and to amend an act entitled an act to incorporate the town of Centreville, in the county of Bibb, approved January 21st, 1828l and an act for the relief of Eliza W. Baker, and Angerona Crockett, all of which originated in the House of Representatives.

Mr Goodrich from the select committee to whom was referred the bill entitled an act providing a more summary mode for the trial of persons charged with the commissioner of affrays, assaults, and assaults and batteries, reported a substitute in lieu thereof. Mr Fleming moved that the bill be indefinitely postponed, which was lost; yeas 31, nays 35.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Breedin Brickell Camp Chamberlain Cook Creagh Davis Earle Fleming Hall Hill Houston of M. Johnson Lockhart McAfee Massey Mason Moffett Musgrove Paul Perkins Porter Rather Richardson Ross Saunders Tarrant Trotter and Ward.

Those who voted in the negative are messrs Brodnax Carmack Carithers Coker Davis Devereux Flournoy Goodrich Graham Herbert Houston of L. Hubbard Hudson of F. Hudson of J. Keener King Lee Lusk Morrisette Norwood Oliver Ormond Reaves Rhodes Rugely Scott Simmons Stewart Thompson Walker Weissinger Williams Wilson Witherspoon and Young.

Mr Goodrich moved the previous question, and the question was; shall the call for the previous question be sustained? and carried. The hour of 11 o'clock having arrived, mr Porter moved to suspend the orders of the day for the present, which was lost.

The House then proceeded to the orders of the day.

The bill making appropriations from the three per cent fund for certain improvements therein named. The amendment of mr Johnson being under consideration; mr Ormond moved the previous question, and the question was; shall the call be sustained? and lost: yeas 30, nays 36.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Camp Carrithers Davis Devereux Earle Goodrich Graham Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lee Lockhart Lusk McAfee Massey Miree Moffett Norwood Ormond Rather Scott Stewart Tarrant Trotter Weissinger Witherspoon and Young.

Those who voted in the negative are messrs Speaker Beck Breedin Brickell Brodnax Carmack Chamberlain Coker Cook Creagh Drish Flournoy Hall Herbert Hudson of F. Johnson Keener Mason Morrisette Musgrove Oliver Paul Perkins Porter Reaves Rhodes Richardson Ross Rugely Saunders Simmons Thompson Walker Ward Williams and Wilson.

Mr Fleming asked leave to be excused from voting on the question, which was granted.

Mr McAfee moved to amend mr Thompson's amendment with the following: "And also for the improvement of a public road from Gunter's landing, to Ashville, in the county of St. Clair, which was rejected.

The question was then on mr Johnson's amendment; a division of the

question being called for, the vote was first taken on striking out one thousand dollars from the appropriation to the Coosa river, and lost. The question was then on taking from the appropriation to the Black Warrior, and lost: yeas 29, nays 34.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Beck Brodnax, camp Coker Creagh Fleming Goodrich Hall Herbert Houston of F. Johnson Keener King Lusk Morrisette Musgrove Norwood Oliver Paul Porter Reaves Richardson Ross Saunders Simmons Stewart Thompson Walker and Ward.

Those who voted in the negative are messrs Speaker Breedin Brickell Carmack Carithers Chamberlain Davis Devereux Drish Earle Flournoy Graham Hill Hudson of M. Hubbard Hudson of J. Lee Lockhart McAfee Massey Mason Miree Moffett Ormond Perkins Rather Rugely Scott Tarrant Trotter Weissinger Williams Wilson and Young.

Mr Paul offered the following amendment; "Strike out the sum of sixty thousand and insert fifty, for the improvement of the Coosa river; strike two thousand from the appropriation to the Black Warrior, below Tuscaloosa; one thousand from the appropriation to the Cahawba; one thousand from the appropriation to the road from Tuscaloosa to Lamb's ferry; and that the sum of five thousand dollars be appropriated out the said three per cent fund, for the improvement of the State road leading from Tuscaloosa to Cahawba, on that part of it between Lewis Howell's, in Perry county, and Cahawba, in Dallas, and the further sum of one thousand dollars to build a bridge over Boguechitto creek ; the sum of five hundred dollars, to erect a bridge over Chillache creek ; the sum of one thousand dollars, to erect a bridge over Cedar creek ; the sum of five hundred dollars, to erect a bridge over Valley creek, also, the sum of five hundred dollars, to erect a bridge over Oakmulgee creek, all in the county of Dallas.

A division of the question being called for, the vote was first taken on striking out, and lost: yeas 28, nays 37.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Speaker Beck Broadnax Coker Creagh Drish Hall Herbert Hudson of F. Johnson Keener Moffett Morrisette Musgrove Oliver Paul Perkins Porter Reaves Ross Rugely Saunders Simmons Thompson Trotter Walker Ward Williams and Wilson.

Those who voted in the negative are Messrs Breedin Brickell Camp Carmack Carithers Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Graham Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lee Lockhart Lusk McAfee Massey Mason Miree Norwood Ormond Rather Richardson Scott Stewart Tarrant Weissinger Witherspoon and Young.

Mr Hall moved the following amendment: "strike out one thousand dollars from the appropriation made to the Suxapalila river, and apply the same to the improvement of the road from Montgomery to Blakely," which was adopted. Mr Oliver offered the following amendment: "strike out five hundred from the appropriation made to the Flint river, in Madison county' five hundred from the appropriation to opening the Paint Rock, in Jackson; strike out the sum of five hundred dollars from the appropriation to the road leading from Tuscaloosa to Lamb's ferry on Tennessee river — and five hundred from the appropriation to the improvement of Elk river, and insert the sum of five hundred dollars to be appropriated for improving and opening a road from Montgomery to Underwood's bridge, on the Patsalaggy river; and thence to Montazuma, in Covington county; also, the sum of one thousand, for improving the road from Montgomery, via Mount Meigs, to Pike courthouse; also, the sum of five hundred dollars for improving the causeway, and erecting a bridge over the Cotoma creek, on the road from Montgomery, commonly called the woody road." mr Goodrich moved to amend mr Oliver's amendment, with the following: "that the residue of the three per cent fund, to-wit: twenty-five dollars be appropriated for the county of Pike." mr Williams then moved that the bill be indefinitely postponed, which was lost: yeas 30, nays 35.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Brickell Brodnax Coker Creagh Drish Hall Herbert Hudson of F. Johnson Keener Moffett Morrisette Musgrove Oliver Paul Perkins Porter Reaves Ross Rugely Saunders Simmons Thompson Trotter Walker Ward Williams and Wilson.

Those who voted in the negative are messrs Breedin Camp Carmack Carithers Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Graham Hill Houston of L. Houston of M.

Hubbard Hudson of J. King Lee Lockhart Lusk McAfee Massey Mason Miree Norwood Ormond Rather Richardson Scott Stewart Tarrant Weissinger Witherspoon and Young.

Mr Moffett moved that the bill lie on the table, which was lost. Mr Goodrich asked leave to withdraw the amendment offered to mr Oliver's amendment, which was granted; yeas 41, nays 24.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Davis Dev-

ereux Earle Fleming Graham Hall Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lee Lockhart Lusk McAfee Massey Mason Miree Moffett Norwood Ormond Paul Perkins Richardson Scott Tarrant Trotter Weissinger Williams Witherspoon and Young.

Those who voted in the negative are messrs Brodnax Coker Creagh Drish Goodrich Herbert Hudson of F. Johnson Keener Morrisette Musgrove Oliver Porter Rather Reaves Ross Rugely Saunders Simmons Stewart Thompson Walker Ward and Wilson.

The question recurred on mr Oliver's amendment. A division of the question being called for, the voted was first taken on striking out and lost; yeas 29–nays 36.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Speaker Beck Brodnax Coker Cook Creagh Devereux Drish Hall Herbert Hudson of F. Johnson Keener Morrisette Musgrove Oliver Paul Porter Reaves Ross Rugely Saunders Simmons Thompson Trotter Walker Ward Williams and Wilson.

Those who voted in the negative are, messrs Breedin Brickell Camp Carmack Carithers Chamberlain Davis Earle Fleming Flournoy Goodrich Graham Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lee Lockhart Lusk M'Afee Massey Mason Moffett Norwood Oliver Ormond Rather Richardson Rhodes Stewart Tarrant Weissinger Witherspoon and Young.

Mr Oliver then moved that the bill be referred to a select committee, to consist of a member from each judicial circuit, which was lost.

Mr Perkins then offered the following amendments; "and that the further sum of three thousand dollars be and the same is hereby appropriated to the erection of four bridges in the county of Tuscaloosa; on across Hurricane creek where the State road crosses the same, one across Big Sandy creek where the Bear creek road leading to the falls of the Cahawba crosses the same, and one across Binion's creek where Byler's road crosses the same; which appropriation shall be subject to the order and contract of the three first named commissioners, appointed for that part of the Black Warrior river between the town of Tuscaloosa and its junction with the Tombeckbee river, which sum shall be drawn for the three per cent. fund first hereafter received by this State.

The House then adjourned until three o'clock, this evening.

Evening Session: three o'clock–Mr Devereux made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following, titles, to wit: an act to incorporate the Bell Factory, in the county of Madison, an act to enable sheriffs and coroners to take recognizances in certain cases therein named, an act to incorporate the merchants' insurance company of Huntsville; an act to establish a State road from the town of Tuscaloosa to the Mississippi State line in the direction of Jackson, in the State of Mississippi, and an act for the relief of the securities of Abram Nabors, tax collector in Shelby county, in 1829.

Ordered, that mr Fortson have leave of absence for the day.

Ordered, that mr Ware have leave of absence for the remainder of the session.

The House resumed the consideration of the bill entitled an act making appropriations from the three per cent. fund for certain improvements therein named. The question was on mr Perkins' amendment. Mr Musgrove moved to amend mr Perkins' amendment with the following: "and four thousand dollars to the opening a road from Gunter's landing on the Tenessee river to Blountsville, in Blount county, in the direction to Tuscaloosa, the nearest and best route," which was adopted. The question was then on the adoption of mr Perkins' amendment as amended, and lost. mr

Reaves, who voted in the majority on mr Hall's amendment, moved to reconsider the vote, which was carried. The question recurred on the adop-

tion of the amendment, and lost. Mr Hall then offered the following amendment, After the word “bridges” and before the word “over” insert the following: “and improving the road.” mr Porter moved to amend mr Hall’s amendment with the following: “ the nearest routs through the town of Claiborne,” which was lost. The question was on the adoption of mr Hall’s amendment, and carried. Mr Musgrove offered the following amendment: “Strike out all appropriations except those to the following rivers and creeks, viz: The Coosa, Black Warrior, Cahawba, Tombeckbee, Flint, Elk, Alabama and Tallapoosa rivers, and the Crow and Pain Rock creeks. Mr Rather moved that the amendment lie on the table, which was carried. Yeas 39; nays 23.

The yeas and nays being demanded, those who voted in the affirmative are messrs, Speaker Breedin Camp Carmack Carithers Chamberlain Coker Davis Devereux Earle Fleming Flournoy Goodrich Graham Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. King Lockhart M’Afee Massey Mason Miree Moffett Norwood Ormond Perkins Rather Richardson Scott Stewart Tarrant Thompson Weissinger Witherspoon and Young.

Those who voted in the negative are Messrs Brickell Brodnax Creagh Drish Hall Herbert Johnson Keener Morrisette Musgrove Oliver Paul Porter Reaves Ross Rugely Saunders Simmons Trotter Walker Ward Williams and Wilson.

Mr Perkins moved, to refer the bill to the judiciary committee; which was lost. mr Porter offered the following amendment: Two thousand dollars for removing obstructions on Tate’s shoals, and one thousand dollars for building bridges over Limestone creek and Flat creek at the place where the State road from Cahawba to Claiborne, passes said creeks, in Monroe county, which was rejected–yeas 24, nays 38.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker, Broadnax, Coker, Cook, Creagh, Drish, Herbert, Hudson, of F. Johnson, Keener, Morrisette, Musgrove, Oliver, Paul, Perkins, Porter, Rather, Reaves, Richardson, Ross, Trotter, Ward, Williams, and Wilson.

Those who voted in the negative are, Messrs Breedin, Brickell Camp, Carmack, Carithers, Chamberlain, Davis, Devereux, Earle, Fleming, Flournoy, Goodrich, Graham, Hall, Hill, Houston, of L., Houston of M. Hubbard, Hudson, of J., King, Lockhart, McAfee, Massey, Mason, Miree, Moffett, Norwood, Rugely, Scott, Simmons, Stewart, Tarrant, Thompson, Walker, Weissinger, Witherspoon, and Young.

Mr Mason offered the following amendment: “Strike out Lamb’s ferry in the first section, and insert “Brown’s ferry.” A division of the question being called for, the vote was taken on striking out, and lost. mr Porter moved the following amendment: Strike out all of the bill after the enacting clause, with the view to insert the following: “that the three per cent. fund shall be divided among the several counties in this State by equal distribution, the same to be under the control of the county courts of the several counties for the purposes of internal improvement.” mr Massey moved that the amendment lie on the table. Mr Richardson moved that the further consideration of the bill be postponed until the first day of February next, which was lost–yeas 30; nays 33.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Brickell Brodnax Coker Cook Creagh Drish Hall Herbert Hudson of F. Johnson Keener Moffett Morrisette Musgrove Oliver Paul Perkins Porter Reaves Richardson Ross Rugely Saunders Simmons Thompson Trotter Walker Ward Williams and Wilson.

Those who voted in the negative are, messrs Breedin Camp Carmack Carithers Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Graham Houston of L. Houston of M. Hubbard Hudson of K. king Lee Lockhart Lusk McAfee Mas-

sey Mason Miree Norwood Ormond Rather Scott Tarrant Weissinger and Young.

Mr Reaves moved that the House adjourn until Wednesday morning nine o'clock; which was carried. And then adjourned.

Wednesday, December 26–A message from the Senate by mr Connor –mr Speaker; The Senate have passed a joint resolution from the House.

of Representatives, authorizing the secretary of State to subscribe for thirty four copies of a map of the State of Alabama, about to be published by John Latourrette, an act to authorise the judge of the county court and commissioners of roads and revenue of Wilcox county, to levy an extra tax for the purpose of building a jail in said county, an act to authorise the tax collector of Monroe and Pike counties to receive jury certificates payment of county taxes, and have amended the same a in the bill shewn an act to establish and incorporate the town of Trenton, in the county of Tuscaloose, and have amended the same as shown in the bill, and which amendments the concurrence of the House is respectfully asked The Senate have passed bills of the following titles, to wit: an act to organize the militia in certain counties therein named, an act to amend an act relative to the Cahawba guards, an act to establish a certain road therein named an act regulating the compensation of jailors for victualing slaves confined in jail, and for other purposes, an act amendatory of an act to incorporate the Tennessee and Alabama rail road company; in all of which the concurrence of the House is respectfully asked.

Mr Flournoy offered the following resolution: Resolved, That the clerk of this House be authorised to employ the aid of an additional clerk during the remainder of the session. Mr Hudson of F. moved that the resolution lie on the table; which was carried.

Mr Hudson of F. presented the petition of sundry inhabitants of Franklin county, praying that Samuel Martin be licensed to hawk and peddle goods throughout the State without a license, which was read and referred to the committee on propositions and grievances.

Mr Miree presented the petition of sundry inhabitants of Green county, praying to establish an election precinct at Leesburg in said county, which was read and referred to the committee on privileges and elections.

Accounts were presented by messrs Hall and Lockhart; they were severally read and referred to the committee on accounts.

Mr Cook, from the committee on propositions and grievances to whom was referred the bill entitled an act for the relief of John Jackson, tax collector of Marego county, for the year 1832, reported the same without an amend ment, and recommend its passage, and the rule requiring bills to be read on three several days being dispenses with, the bill was taken for engrossed and read the third time forthwith and passed. Ordered, that the titles be aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr. Ormond, from the judiciary committee to whom was referred a resolution instructing them to organize the several judicial circuits of this State, and to establish a new one, reported a bill to be entitled an act to alter and establish the judicial circuits of the State, which was read, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and ordered to lie on the table.

Mr Norwood from the select committee, to whom was referred the petition of sundry citizens of Jackson county, praying the Crow creek in said county, be declared a public highway, reported a bill to be entitled an act declaring Crow creek in Jackson county, a public highway, which was read the first time, and the rule requiring bills to be read on three several days being dispenses with, it was read the second time forthwith, and ordered to be engrossed for a third reading.

Mr Stewart from the select committee to whom was referred the bill entitled an act more effectually to secure the revenue arising to this State upon free persons of color, reported a substitute in lieu thereof, which was

adopted, the bill was ordered to be engrossed for a third reading.

Mr Coker from the select committee to whom was referred the bill entitled an act to annex a part of the county of Monroe to the county of Butler, reported the same without amendment, and recommend its passage, the bill was ordered to be engrosses for a third reading.

Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act providing for the completion of the State capitol and other purposes.

Ordered, that the House concur in the amendments made by the Senate to the bill entitles an act for the relief of Ludwell W. Taylor and others.

Ordered, that the House disagree to the amendments made by the Senate to the bill entitled, an act to repeal in part and amend an act to regulate the rate of interest, passed December 17th, 1819.

The resolution from the Senate proposing to go into election of judges of the several county courts of this State, for the new counties established at the present session, proposing to go into election on Thursday, next, (to-morrow) was postponed until Monday next.

The bill from the Senate entitled an act to amend an ac, further to amend the charter of the bank of the State of Alabama, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and referred to the committee on the State bank.

Bills from the Senate of the following titles to-wit: An act to repeal in part an act therein mentioned, and for other purposes; an act regulating the compensation of jailors for victualing slaves confines in jail, and for other purposes; an act amendatory of an act, to incorporate the Tennessee and Alabama rail road company, approved January 20th, 1832; were severally read the first time, and ordered to a second reading.

The joint memorial from the Senate to the congress of the United States in relation to the improvements on the Tennessee river, was read the first time, and the rule requiring bills and joint resolutions to be read on three several days being dispensed with, it was forthwith read the second time and referred to a select committee: Whereupon, messrs Richardson, Ormond and Creagh, were appointed said committee.

The bill from the Senate entitled an act to authorize the election of a justice of the peace, and other officers, in the county of Pickens, was read the firs time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to a select committee: Whereupon, messrs Flournoy, Hudson of F. and Morrisette, were appointed said committee.

Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act to authorize the tax collector of Monroe and Pike counties, to receive jury certificates in payment of county taxes.

Ordered, that the House concur in the several amendments made by the Senate, to the bill entitled an act to establish and incorporate the town of Trenton, in the county of Tuscaloosa.

The bill from the Senate entitled an act to organize the militia in certain counties therein named, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and referred to the military committee.

The bill from the Senate entitled an act relative to the Cahawba guards then being on its first reading; mr Herbert moved that it lie on the table, which was carried.

The bill from the Senate entitled an act to establish a certain road therein named, was read the first time, and the rule requiring bills to be read on

three several days being dispensed with, the bill was read the second time.

forthwith, and the rule being further dispensed with, the bill was read the third time forthwith, and passed. Ordered, that the title be as aforesaid.

Ordered, that the clerk acquaint the Senate therewith.

Mr Devereux introduced a bill to be entitled, an act to allow each county in this State, a separate representation, which was read and ordered to a second reading.

Mr Speaker laid before the House a communication from the comptroller of public accounts, which is as follows, to-wit:

COMPTROLLERS OFFICE, Tuscaloosa, Dec. 24th, 1832.

Hon. Samuel W. Oliver, Speaker of the House of Representatives.

Sir: In accordance with a resolution of the House of Representatives, I have the honor herewith to submit an exhibit shewing the aggregate amount of revenue assessed in the State of Alabama, during the present year, the amount furnished by each county, and the particular sum arising from each of the several objects of taxation, or sources of revenue, so far as returns have been made to this office, previous to the 20th instant.

Respectfully, your obedient servant,

Signed. GEO. W. CRABB.

Ordered, that said communication, together with the accompanying document, lie on the table, Ordered, that five hundred copies of said documents be printed.

The House then proceeded to the orders of the day.

The bill entitled an act making appropriations from the three per-cent fund, to certain improvements therein named, then being on its second reading, mr Herbert moved that the further consideration thereof be postponed until the 20th January next, which was lost: yeas 29, nays 35.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck Brodnax Coker Creagh Drish Fortson Hall Herbert Hudson of F. Johnson Keener Moffett Musgrove Oliver Paul Porter Reaves Ross Rugely Saunders Simmons Thompson Trotter Walker Ward Williams Wilson and Witherspoon.

Those who voted in the negative are messrs Breedin Brickell Camp Carmack Carithers Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lee Lockart McAfee Massey Mason Miree Norwood Ormond Rather Rhodes Richardson Scott Stewart Sumners Tarrant Weissinger and Young.

Mr Ormond then moved the previous question.

A motion was made by mr Hudson of F. to adopt the amendment offered on Monday last, to rule No. 24, and lost. The question was then on the adoption of the rule introduced by mr Ormond, on Monday last. Mr Rather moved the following amendment: ‘strike out all after the word “resumed,” in the eighth line, to the word “and” in the tenth line, which was adopted, the rule was then adopted.

The House resumed the consideration of the bill entitled an act making appropriations from the three per cent fund, for certain improvements therein named; the question was on ordering the bill to a third reading-- mr Herbert moved a call of the House, when the following members appeared and answered to their names, to-wit: Messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Coker Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart Luck McAfee Massey Mason Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ward Weissinger Williams Wilson Witherspoon and Young.

The further consideration of the bill was postponed for one hour.

A message from the Senate by mr Connor, their secretary: mr Speaker : The Senate insist on their amendment to the bill from the House of Representatives, entitled an act to provide for taking the census for the year 1833, by inserting a substitute therefor. Ordered, that the House

adhere to their disagreement to the amendment made by the Senate to said bill.

The engrossed joint resolutions proposing amendments to the constitution of the State of Alabama, was read the third time. mr Creagh moved to amend the resolution, by way of following engrossed ryder: “Be it further resolved, that no member of the general assembly shall be eligible to any office, the appointment to which is in the legislature during the term for which he may have been elected, which was read three several times, and adopted: yeas 54, nays 14.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Brickell Carmack Carithers Chamberlain Coker Cook Creagh Davis Drish Earle Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Ling Lockhart Lusk McAfee Massey Mason Moffett Morrisette Ormond Paul Perkins Porter Rather Rhodes Richardson Ross Saunders Scott Stewart Sumners Thompson Trotter Walker Ward Weissinger Williams Wilson Witherspoon and Young.

Those who voted in the negative are messrs Breedin Brodnax Camp Devereux Herbert Keener Lee Miree Musgrove Oliver Reaves Rugley Simmons and Tarrant.

The question was then put, shall the resolution pass ? It was determined in the affirmative, by a constitutional majority : yeas 50, nays 17.

The yeas and nays being requisite, those who voted in the affirmative are messrs Speaker Beck Brickell Camp Carmack Carithers Chamberlain Coker Cook Creagh Earle Fleming Goodrich Graham Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart Lusk McAfee Massey Mason Moffett Morrisettee Norwood Oliver Ormond Paul Porter Rhodes Ross Rugely Saunders Scott Stewart Tarrant Thompson Walker Ward Weissinger Witherspoon and Young.

Those who voted in the negative are messrs Breedin Brodnax Davis Devereux Drish Flournoy Fortson Hall Miree Musgrove Perkins Rather Reaves Simmons Sumners Williams and Wilson.

Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The resolutions reported by the select committee on the subject of the tariff laws, being on their second reading; mr Ormond moved to amend them by striking therefrom, the last member of the resolutions, which proposes a Federal convention.

The hour having expired, at the instance of mr Herbert’s call of the House, the absentees were excused.

The House resumed the consideration of the bill entitled an act making appropriations from the three per cent fund for certain improvements therein named. The question was on ordering the bill to a third reading. Mr Ormond’s call for the previous question was sustained. The main question was then put: Shall the bill be engrossed and read the third time? And determined in the affirmative: yeas 36, nays 32.

The yeas and nays being demanded, those who voted in the affirmative are messrs Breedin Camp Carmack Carithers Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Graham Hill Houston of L. Houston of m. Hubbard Hudson of J. King Lee Lockhart Luck McAfee Massey Mason Miree Norwood Ormond Rather Rhodes Richardson Scott Stewart Sumners Tarrant Weissinger and Young.

Those who voted in the negative are messrs Speaker Beck Brickell Brodnax Coker Cook Creagh Drish Fortson Hall Herbert Hudson of F. Johnson Keener Moffett Moririsette Musgrove Oliver Paul Perkins Porter Reaves Ross Rugely Saunders Simmons Thompson Trotter Walker Ward Williams and Wilson.

The House resumed the consideration of the resolutions reported by the select committee on the subject of the tariff laws. The question was on mr Ormond's motion, to strike out the last member of the resolution, which proposes a Federal convention.

The House then adjourned until three o'clock this evening.

Evening Session, three o'clock– The House resumed the consideration of the resolution reported by the select committee on the subject of the tariff laws. mr Ormond asked leave to withdraw the motion to strike out, which was granted. The question was then on ordering the resolution to a third reading.

The House adjourned until to-morrow morning 9 o'clock.

Thursday, December 27th, 1832.–Mr Hudson of F. presented the account of J. Davis, deputy sheriff of Franklin county, which was read and referred to the committee on accounts.

Mr Rather, moved that a committee be appointed to confer on the disagreement between the two Houses, as to the amendment made by the Senate to the bill entitled an act to provide for taking the census for the year 1833; whereupon, messrs Rather, Cook, and Morrisette, were appointed said committee.

Mr Flournoy from the select committee to whom was referred the bill entitled an act to authorise the election of a justice of the peace and other county officers; in the county of Pickens, reported the same without amendment, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Norwood called up the bill entitled an act to divide the firs regiment of Alabama militia; the bill was read the second time and referred to the military committee.

Mr Trotter called up the bill entitled an act to exempt fifty head of cattle from taxation, and for other purposes, it was placed among the orders of the day.

Mr Paul called up the bill from the Senate entitled an act to amend an act relative to the Cahawba guards; it was read a second time and referred to a select committee: whereupon, messrs Paul, Herbert and Saunders, were appointed said committee.

Mr Flournoy introduced a bill to be entitled an act to amend the several road laws of this State, which was read and ordered to a second reading.

On motion of mr Hudson of F.: Resolved, that the House will hereafter hold evening sessions to transact local business; the session to commence at half past 6 o'clock, P.M.; at which private or local bills shall be first disposed of.

The House resumed the consideration of the report of the committee appointed on the bill entitled an act providing a more summary mode for the trial of persons charged with the commission of affrays and assaults, and assaults and batteries; the question was on adopting the substitute. mr Hubbard moved to amend the bill by striking out the word "deadly," wherever it occurs in the bill before the word "weapons," which was adopted. Mr Fleming moved that the further consideration of the bill be postponed until the first day of February next, which was carried: yeas 38, nays 29.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck Breedin Brickell Brodnax Camp Chamberlain Coker Cook Creagh Devereux Drish Earle Fleming Fortson Hall Herbert Hill Houston of M. Johnson Lockhart Massey Moffett Morrisette Musgrove Paul Perkins Porter Rather Richardson Saunders Simmons Sumners Tarrant Trotter Ward Wilson and Witherspoon.

Those who voted in the negative are messrs Carmack Carithers Davis Flournoy Goodrich Graham Houston of L. Hubbard Hudson of F. Hudson of J. Keener King Lee Lusk Miree Norwood Oliver Ormond Reaves Rhodes Ross Rugely Scott Stewart Thompson Walker Weis-

singer Williams and Young.

A message was received from the Governor, by James I. Thornton, which is as follows: I have to inform the general assembly, that the honor-

able Leonard Tarrant, had resigned the place of judge of the county court of Shelby county; and that the honorable James Lane, has resigned the office of judge of the county court of Butler county, both of which offices are now vacant.

SIGNED. JOHN GAYLE

Ordered, that said communication lie on the table.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles, to-wit: An act to allow the tax collector of Covington county, twenty-five per centum, on the amount of taxes he collects for the county; and an act for the relief of Thomas G. Tyus, tax collector of Limestone county.

A message from the Senate by mr Connor: mr Speaker: The Senate have passed bills from the House of Representatives, of the following titles to-wit: An act to provide for printing an additional number of the acts and journals for the use of certain counties therein named, an act to incorpoate the merchants insurance company of Mobile. The Senate have passed bills of the following titles, to-wit: An act to amend te militia law under the head of courts martial; an act to authorise Samuel Bowden, of Shelby county, to manumit and set free certain slaves therein named, in both of which , the concurrence of the House of Representatives is respectfully asked.

The hour of eleven o'clock having arrived, the House resumed the consideration of the resolutions reported by the select committee on the subject of the tariff laws.

The House then adjourned until three o'clock this evening.

Evening Session, three o'clock–The bill from the Senate entitled an act to amend the militia law under the head of courts martial, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the committee on emancipation.

The bill from the Senate entitled an act to authorise Samuel Bowden of Shelby county, to manumit and set free certain slaves therein named, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the committee on emancipation.

The House resumed the consideration of the resolutions reported by the select committee on the subject of the tariff laws.

The House then adjourned until to morrow morning nine o'clock.

Friday, December 28th, 1832–Mr. Devereux made the following report: The committee on enrolled bills, have examined and find correctly enrolled, bills of the following titles, to-wit: An act to authorise the judge of the county court and commissioners of revenue and roads of Wilcox county, to levy an extra tax for the purpose of building a jail in said county; joint resolutions authorizing the secretary of State to subscribe for thirty four copies of a map of the State of Alabama, about to be published by John Lattourette.

Mr Ormond from the judiciary committee to whom was referred the petition of William T. Rounsavall and others, reported that it is inexpedient: in which report the House concurred.

The same committee to whom was referred the bill from the Senate entitled an act to incorporate the Mobile and New Orleans stage and steam boat company, reported the bill as inexpedient: in which report the House concurred.

The same committee to whom was referred the bill entitled an act to pro-

vide for making deductions from the salaries of public officers who may

fail or neglect the duties of their offices, reported sundry amendments which was adopted, and the bill ordered to be engrossed for a third reading.

Mr Ormond made the following report: The judiciary committee to whom was referred the communication of the examiners of the new digest together with the report of John G. Aikin, digester of the laws, and the new digest and accompanying papers, have had the same under consideration, and have instructed me to report that they have given the new digest such examination as it was in their power to give it; and have not bee able to detect any errors in it: they cannot say to the House, that it does not contain errors, as that would require an examination of the whole work. They presume that it was the intention of the legislature at its last session, in providing examiners of the work to supersede in a great measure the necessity of an examination by a committee of the House, who could not under the most favorable circumstances, execute the task amidst the hurry and bustle of legislation, so well as persons having that single object in view, and their reputation as lawyers, in some degree at least staked upon its correctness. From these considerations, as well as from the absolute necessity of the case; this committee have given it but a superficial examination; that however, has been sufficient to satisfy them that work has been well executed, and is greatly superior to the old digest, and will be a most valuable acquisition to the community.

The same committee reported a bill to be entitled an act to provide for the transfer of stock issued by the State, and for the removal of lost certificates thereof, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and the rule being further dispensed with, it was considered as engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The same committee reported a bill to be entitled an act to revise, amend simplify and repeal in part certain acts contained in the new digest of the statutes of this State, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and ordered to be engrossed for a third reading.

The same committee reported a bill to be entitled an act concerning attachments, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and the rule being further dispensed with, it was considered as engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The same committee reported a bill to be entitled an act to establish the new digest of the laws of Alabama, and for other purposes, which was read the first time and ordered to lie on the table.

A message was received from the Senate by mr Morton–mr Speaker: The Senate have read three several times and passed a bill entitled an act to review and alter the State road leading from E. Burrows' in Dallas county, to Montevallo in Shelby county, in which they ask the concurrence of the House of Representatives. They have passed a bill from the House of Representatives, entitled an act specifying the distance of residence from the seat of justice that the judges of the county courts of certain counties herein named may reside.

Mr Miree made the following report: The committee on enrolled bills.

have examined and find correctly enrolled bills of the following titles, viz: an act to provide for the printing of an additional number of the acts and journals for the use of certain counties therein named; an act to incorporate the merchants' insurance company of Mobile, all of which originated in the House of Representatives.

Mr Paul, from the select committee to whom was referred the bill from the Senate entitled an act relative to the Cahawba guards, reported the following amendment: In the last line strike out the words "on juries," and insert "when summoned as tales jurors," which was adopted; and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to review and alter the State road leading from E. Burrows' in Dallas county, to Montevallo in Shelby county, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and referred to a select committee: whereupon messrs Paul, Davis and Sumners were appointed said committee.

Ordered, that the House adhere to their disagreement to the amendment made by the Senate to the bill entitled an act to repeal in part and amend an act to regulate the rate of interest, passed December 17, 1819, and have appointed a committee of conference; whereupon messrs Creagh, Morrisette and Hudson of F. were appointed said committee.

A message was received from the Senate by mr Connor–mr Speaker; The Senate adhere to their amendment to the bill entitled an act to provide for taking the census for 1833, and have appointed messrs Erwin of G. Hogan and Anderson, a committee of conference on their part. The Senate insist on their amendments to the bill entitled an act to repeal in part and amend an act to regulate the rate of interest, passed December 17, 1819.

The House took into consideration the resolution from the Senate proposing to adjourn on the 20th instant. Mr Hudson of F. moved to amend it by striking out the words "20th instant," with view of insert the words "Saturday, the 12th of January, 1833," which was adopted. The resolution as amended was adopted. Ordered, that the clerk acquaint the Senate therewith.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, viz: An act for the relief of Ludwell W. Taylor, and others: an act to authorise the tax collector of Monroe and Pike counties, to receive jury certificates in payment of county taxes, an act providing for the completion of the State capital, and other purposes, an act to establish and incorporate the town of North Tuscaloosa, an act for the relief of certain purchasers of lots in the town of Marion, Perry county; and an act for the sale of State stock.

The House resumed the consideration of the resolution of the select committee on the subject of tariff laws.

The House adjourned until this evening, three o'clock.

Evening Session, three o'clock– The House resumed the consideration of the resolutions reported by the select committee on the subject of the tariff laws; the resolutions being on their second reading.

Mr Wilson moved to amend the resolutions by striking out all after the word "resolved," with a view to insert the following.

That the several States comprising these United State are not united on the principles of unlimited submission to the federal government, but that by compact under the style and title of a

constitution for the United States, and of amendments thereto, they constitute a federal government for special purposes, delegated to that government certain defined powers, reserving each

State to itself the residuary mass of rights to their own self government; and that whensoever the federal government assumes undelegated powers, its act are unauthoritative, void, and of no force, that to this compact each State acceded as a State, and is an integral party; that this government, created by this compact, was not made the exclusive of final judge of the extent of the powers delegated to itself, since that would have made its discretion and not the constitution the measure of its powers, but that as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions of the constitution as of the mode and measure of redress.

RESOLVED, That the congress of the United States had no authority to promote domestic manufactures, either by bountied directly given, or indirectly bestowed, in discriminating and prohibiting duties on foreign importations, nor to tax the citizens of one portion of the United States for the benefit of another, nor to regulate by any species of legislation the internal interests of the different States. That any act of congress enacted with such design, and having such operation, is unconstitutional" the tariff acts, so far as they impose taxes for the sole purpose of an economical revenue, are constitutional and proper, but so far as they impose taxes with the intent and effect to bounty the manufacturing interests out of the industry of other classes of the community, are a direct and palpable infringement on the liberty of the citizen, and the reserved rights of the States: That the exercise of such power as is therein exercised, tends to annihilate that equality of immunities and burthens, which is the unpurchasable privilege of freemen, and to consolidate the division of power guaranteed by the federal compact to the State and federal government, and to substitute for constitutional liberty, the essential principle of all despotisms indefinite governmental prerogative: That the late tariff act in intent and effect, is violative of the constitution in this, that is assumes to regulate the internal economy of the States, by appreciating certain branches of industry, and depreciating others: That the duties thereby imposed are mainly arranged for the benefit of the manufacturer, to the great detriment of the producers of articles of exportation and consumers of articles of impartation: That it perverts the legitimate use of taxing power in individually distinguishing between the necessaries and luxuries of life, leaving the latter free from any charge, or at trifling duties, and taxing the former at a rate in the aggregate beyond half their prime cause; That it is a fraud upon the rights of the people, by complicating its exactions and obscuring their effect; all which, if persisted in, will ultimate in the destruction of the Union; and will not in the opinion of this legislature, be submitted to by the people of this State.

RESOLVED, That the employment of an armed force against any State to coerce the people thereof into obedience to an unjust, oppressive and unconstitutional act of congress if highly dangerous to civil liberty, and not warranted by the federal compact, nor authorised by the exigencies of this occasion; that such procedure on the part of the federal government at this time would not mitigate the evils and oppressions under which the Southern States have long suffered, harmonize our conflicting opinions and interest, invigorate our violated constitution, or strengthen the Union of these States; That liberty, equality, the constitution, the Union, alike connected with the proudest incidents of our political existence, now appeal with impressive application to the patriotism of every American citizen, to adjust without resort to the desolating ravages of civil war, this momentous question of constitutional rights and constitutional wrongs, and to this end.

BE IT FURTHER RESOLVED, That the State of Alabama does earnestly recommend to the States, and the congress of the United States, a speedy call of a Federal Convention, to propose such amendments to the constitution of the United States, as the experience of the past, and the exigencies of the present, and the harmony and prosperity of the future, may seem in the opinion of such convention to require.

And then the House adjourned until half past six o'clock, this evening.

Evening Session, half past six o'clock–Engrossed bills of the following titles, to wit: An act declaring Crow creek, in Jackson county, a public highway; an act to authorize Enoch Parsons to establish and keep a ferry at Flat Creek, in Monroe county, an act for classing causes in the circuit court of Mobile county, an act to incorporate the Claysville inde-

pendent blues, of Jackson county; an act to exempt certain persons therein named, from the performance of military and other duties; an act prescribing the time of holding the battalion muster in the sixteenth regiment, fourteenth brigade, and second division of Alabama militia: an act to establish an additional number of company beats in the fourteenth regiment of Alabama militia; an act to regulate the weighing of cotton in the city of Mobile; and for other purposes; and an act to establish an academy at Blountsville, were severally read the third time and passed. Ordered, that the titled be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to repeal the several acts, concerning roads, highways, bridges and ferries, in the county of Mobile, was read the third time and passed.

Mr Flournoy, who voted in the majority on the passage of the bill, moved to reconsider the vote.

Engrossed bill entitled an act to annex a part of the county of Monroe

to the county of Butler, was read the third time. Mr Morrisette moved the following amendment by way of engrossed ryder: " Provided the taxes of said section be paid to the tax collector of Monroe county; which was lost. The bill passed by a constitutional majority. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act declaring certain rivers lawful enclosures, was referred to a select committee, consisting of messrs Morrisette, Creagh and Weissinger, to consider and report thereon.

The engrossed bill entitled an act to provide for the election of officers for the county of Pike, was laid on the table.

The bill from the Senate entitled an act to establish a State road from the town of Tuscaloosa to the Mississippi State line by way of the towns of Carrollton and Pickensville, in Pickens county, was made the special order of the day for its third reading on to-morrow.

The bill from the Senate entitled an act to incorporate a company to build a toll bridge across the Black Warrior river, opposite the town of Tuscaloosa, was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The engrossed bills of the following titles, to wit: an act to establish a certain county therein named; and an act for the organization of certain counties therein named, were made the special orders of the day for Monday next.

The bill from the Senate entitled an act to revive in part and amend an act to allow trustees of the State University pay for their services, passed December 26, 1832, was laid on the table for the present.

The House then adjourned until to-morrow morning, nine o'clock.

Saturday, December 29– Mr Carmack presented the petition of sundry inhabitants of Lauderdale county, praying to continue and establish certain election precincts therein named, which was read and referred to the committee on privileges and elections.

Mr Flournoy made the following report: The military committee to whom was referred so much of the governor's message as relates to military affairs; and the same committee to whom was referred the abstract return of the militia of the State of Alabama, for the year 1832, and also the report of the adjutant and inspector general of the Alabama militia; and also a resolution instructing the committee to inquire into the expediency of so amending the militia law as may ensure a more full return of the strength and condition of the militia of this State, with other resolutions on the same subject: The same committee reported a bill to be entitled an act to regulate the militia of this State of Alabama, which was read the first time, and ordered to a second reading.

Mr Fleming, from the military committee to whom was referred the bill entitled an act to divide the first regiment of Alabama militia, reported the same without amendment. Mr Norwood moved to amend the second section of the bill by striking out the word "five" to insert the word "four," which was carried. The bill was ordered to be engrossed for a third reading.

Mr Breeding from the committee on the State Bank, to whom was referred the bill from the Senate entitled an act to amend the act entitled an act further to amend the charter of the Bank of the State of Alabama, reported that the passage of the said bill is, in their opinion, inexpedient at this time; in which report the House concurred.

Mr. Musgrove, from the select committee to whom was referred a joint

resolution to the congress of the United States, asking pre-emption rights

to settlers on the public lands, reported a substitute in lieu thereof ; which was adopted. The memorial was ordered to be engrossed for a third reading Mr Morrisette moved that the committee be discharged from the further consideration of the subject; which was granted.

Mr Miree made the following report: The committee on enrolled bills have examined and find correctly enrolled; An act to provide for legitimating bastard children, and to authorise the change of names.

Mr Keener presented sundry accounts; they were severally read and referred to the committee on accounts.

A message from the Senate by mr Morton–mr Speaker: The Senate have passed bills of the following titles, in which they ask the concurrence of the House of Representatives, to wit: An act to fix the salary of the president of the Bank of the State of Alabama, and for other purposes; an act to educate children in certain cases; an act to emancipate certain slaves therein named; an act to authorise the laying out and opening a certain road therein named; an act extending the time granted John Fowler, for running a steam ferry boat between the city of Mobile, and the town of Blakeley; and an act to prevent frauds in the sale of oil and for other purposes.

Mr Ormond called up the bill entitled an act to establish the new digest of the laws of Alabama, and for other purposes; it was read the second time. Mr Hudson of F. moved to strike out the word “three” to insert the word “two,” that it will read, two thousand copies of the digest; which was lost. The bill was ordered to be engrossed for a third reading.

Bills from the Senate of the following titles, to wit: An act to fix the salary of the president of the Bank of the State of Alabama, and for other purposes; an act to emancipate certain slaves therein named; and an act to authorise the laying out and opening a certain road therein named, were severally read and ordered to a second reading.

The bill from the Senate entitled an act to educate children in certain cases, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith. Mr Flournoy moved to amend it by striking out the word “voluntary,” which was carried; and the rule being further dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act extending the time granted John Fowler, for running a steam ferry boat between the city of Mobile and the town of Blakely, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and the rule being further dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to prevent frauds in the sale of oil, and for other purposes, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the judiciary committee.

A message was received from the Senate by Mr Connor–mr Speaker; The Senate concur in the amendment of the House of Representatives, to the resolution of the Senate proposing to adjourn sine die on the 20th inst. The Senate adhere to their amendment to the bill from the House entitled an act to repeal in part and amend an act to regulate the rate of interest, passed December 17, 1819, and have appointed messrs Erwin of G. Bridges and Anderson a committee of conference on the part of the Senate

They concur in the amendment of the House of Representatives to the bill to amend the act in relation to the Cahawba guards.

Mr McRea from the select committee to whom was referred the bill entitled an act to authorize the judge of the county court of Franklin county, and commissioners of roads and revenue to designate the boundary and hands for each overseers, reported sundry amendments, which were adopted. The bill was ordered to be engrossed for a third reading.

Mr Sumners called up the bill from the Senate, entitled an act to revive in part and amend an act, to allow trustees of the University pay for their services, passed December 26, 1822. The bill was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, That the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to provide for the printing and distributing of the laws and journals of the extra session of the general assembly of the State of Alabama, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The engrossed bill entitled an act to provide for the election of officers for the county of Pike, was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to provide for an examination of the Bank of the State of Alabama, and its several branches, then being on its third reading; mr Ormond moved to amend it by way of engrossed ryder. Mr Creagh moved to refer the bill and amendment to a select committee: whereupon messrs Creagh Hubbard and Ormond, were appointed said committee to report forthwith.

The House resumed the consideration of the resolutions reported by the select committee on the subject of the tariff laws.

The House adjourned until three o'clock, this evening.

Evening Session, three o'clock.– The House resumed the consideration of the resolutions reported by the select committee on the subject of the tariff laws.

The House then adjourned until half past six o'clock this evening.

Night Session, half past six o'clock– The House resumed the consideration of the engrossed bill entitled an act to repeal the several acts concerning, roads, bridges highways and ferries, in the county of Mobile. The question was on mr Flournoy's motion to reconsider the vote on the passage of the bill, and lost. Mr Flournoy then moved that the bill lie on the table, which was lost. The bill passed Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Engrosses bills of the following titles, to wit: An act to incorporate the town of Claysville, in Jackson county; an act to establish a certain ferry therein named; an act for the relief of William Moore; an act declaratory of the charter of incorporation of the town of Claiborne, in the county of Monroe; an act for the relief of Terry Riddle; an act to locate permanently the seat of justice in Covington county, and for other purposes, an act conferring certain powers on the mayor intendant and constable of the town of Bellefonte, in the county of Jackson; an act to legalize and confirm the name of James W. Clement; an act to legitimate and change the names of certain persons therein named; an act authorizing the citizens of Sommerville to elect a constable; and an act to legitimate certain persons therein named, were severally read the third time and passed. Ordered,

that the titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill from the Senate entitled an act to authorise Daniel McDaniel and G.B. Mobley, to establish a ferry on the Tombeckbee river, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Engrossed bill entitled an act to divorce certain persons therein named, was read the third time, and the question being put, Shall this bill pass? It was determined in the affirmative by a constitutional majority. Yeas 34; nays 16.

The yeas and nays being demanded those who voted in the affirmative are Messrs Speaker, Beck, Camp, Carmack, Chamberlain, Coker, Cook, Davis, Devereux, Drish, Fleming, Graham, Hall, Herbert, Hall, Houston of L., Houston of M. Hubbard, Hudson of J., Keener, King, Lockhart, Morrisette, Ormond, Paul, Rather, Rhodes, Ross, Saunders, Simmons, Stewart, Thompson, Ward and Wilson.

Those who voted in the negative, are Messrs Brickell, Carithers, Creagh, Fleming, Goodrich, Hudson of F. Johnson, Massey, Mason, Miree, Norwood, Porter Richardson, Walker, Weissinger, and Young.

The bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act for the relief of sheriffs in distant counties, was read the third time. Mr Wilson moved to amend the title of the bill with the following: “Concerning the return of executions,” which was adopted. The bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The bill was entitled an act to authorise Henry Stovall to build a mill on Flint river, in Morgan county. Mr Ormond moved that the bill be indefinitely postponed, which was carried.

The bill entitled an act authorizing Thomas Brown to enter a certain tract of land therein named, was read the second time and ordered to be engrossed for a third reading.

The bill entitled an act for the regulation of wharf owners in the city of Mobile, was read the second time, and referred to the judiciary committee.

The House then adjourned until Monday morning, nine o’clock.

Monday, December 31– Mr Hudson of F. presented the petition of sundry citizens of the town of Tuscumbia, in the county of Franklin, praying the election of a justice of the peace, which was read and referred to a select committee; whereupon messrs Hudson of F. McRea and Hubbard, were appointed.

Mr Breedin presented the petition of sundry citizens of Mobile on the subject of the wards in the said city, which was read and referred to a select committee: whereupon messrs Breedin, Chamberlain and Herbert, were appointed said committee.

The engrossed bill entitled an act to alter the wards of the city of Mobile, was referred to a select committee, consisting of messrs Breedin, Chamberlain and Herbert, were appointed said committee.

A message was received from the Senate by mr Morton–mr Speaker; The Senate disagree to the amendment made by the House of Representatives to the bill entitled an act to revive in part and amend an act to allow trustees of the State University pay for their services, passed December 26, 1822, by striking out the third section.

They have passed joint resolutions proposing to amend the constitution

of the State of Alabama, so far as to permit the legislature thereof to lay

off the several judicial circuits in such manner as will best promote the interest and convenience of the people of the said State, in which they ask the concurrence of the House of Representatives. They have passed a bill from the House of Representatives, to be entitled an act declaring Crow creek in Jackson county, a public highway.

Mr Hudson of F. moved that the House receded from their amendment to the bill from the Senate, entitled an act to revive in part and amend an act to allow trustees of the State University pay for their service, passed December 26, 1822, which was lost. Yeas 19; nays 42.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Breedin Brodnax Coker Hill Hubbard Hudson of F. Johnson Keener Lee Miree Musgrove Norwood Perkins Sumners Tarrant Thompson Williams and Young.

Those who voted in the negative are, messrs Beck Brickell Camp Carmack Carithers Chamberlain Creagh Davis Earle Fleming Flournoy Fortson Goodrich Graham Hall Herbert Houston of L. Houston of M. Lockhart Lusk Mason Massey Moffett Morrisette Oliver Ormond Paul Porter Rather Reaves Rhodes Ross Rugely Saunders Scott Simmons Stewart Trotter Ward Weissinger and Wilson.

Ordered, that the House insist on their amendments to said bill. Ordered, that the clerk acquaint the Senate herewith.

Mr Fleming, from the military committee to whom was referred the bill entitled an act for the better organization of patrols, reported the same without amendment. Mr Porter moved that the bill lie on the table, which was agreed to.

Mr Norwood, from the select committee to whom was referred a resolution instructing the judiciary committee to inquire into the expediency of memorializing the congress of the United States on the subject of reducing the present minimum price of the public lands, when the same have been heretofore offered the sale, and not sold for want of bidders, reported a joint memorial of the Senate and House of Representatives, praying a reduction in the price of public lands, which was read the first time, and the rule requiring bills and joint resolutions to be read on three several days being dispensed with, it was read the second time forthwith; and the rule being further dispensed with it was read the third time forthwith and passed. Ordered, that th title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Joint resolutions from the Senate proposing to amend the constitution of the State of Alabama, so as to permit the legislature thereof to lay off the several judicial circuits in such manner as will best promote the interest and convenience of the people of the said State, was read the first time and ordered to a second reading.

The engrossed bill entitled an act to establish a new digest of the laws of Alabama, for other purposes, was read the third time. Mr Ormond moved to amend the third section by way of engrossed ryder, by inserting the words “or refusal” after the word “inability,” which was adopted. Mr Carmack moved to amend the fourth section of the bill with the following; after the word “peace” insert “to each commissioner of roads and revenue, one copy, on the same terms of justices of the peace,” which was adopted. Mr Rather moved to amend the title of the bill, as follows; “A bill to be entitled an act to adopt, print, bind, and distribute the new digest complied by John G. Aikin, Esq. and for other purposes,” which was adopted. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act for the organization of certain counties therein named, was read the third time. Mr Fortson moved to amend

the bill by way of engrossed ryder, by adding thereto two additional sec-

tions, Nos. 9 and 10, which was adopted, the bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

A message was received from the Governor, by James I. Thornton: mr Speaker, The Governor did on the 28th instant, approve and sign the following bills, An act to incorporate the merchant's insurance company of Huntsville; an act to allow the tax collector of Covington county, twenty-five per centum on the amount of taxes he collects for the county; an act for the relief of Thomas G. Tyus, tax collector of Limestone county; an act to incorporate the Bell factory of the county of Madison, an act to enable sheriffs and coroners to take recognizances, in certain cases therein named, an act to establish a state road from the town of Tuscaloosa, to the Mississippi State line, in the direction of Jackson in that State; an act for the relief of the securities of Abram Nabors, tax collector in Shelby county, in 1829: all of which originated in the House of Representatives.

A message was received from the Governor, by James I. Thornton, which is as follows:

EXECUTIVE DEPARTMENT, Tuscaloosa, Dec. 31st, 1832.

To the Senate and House of Representatives:

In compliance with a request of his Excellency, the Governor of the State of South Carolina, I lay before the general assembly, a pamphlet containing a copy of the Ordinance adopted by a convention of that State, "to nullify certain acts of the Congress of the United States, laying duties and imposts in the importation of foreign commodities;" also, an address to the people of South Carolina, and to the people of the United States.

These documents appraise us that one of the State of the Union is actually engaged in the attempt to enforce the right, which her statesmen have claimed, as belonging to a single member of the national republic, to prevent with her limits the operation of any act of Congress which she may deem unconstitutional. The Ordinance has put an end to all conjecture, as to the true meaning of the doctrine of nullification, and discloses the means necessary to enforce it. It has been transmitted to this department by order of the convention expressly with the view of submitting it to the legislature, and of obtaining an expression of their opinion on the subjects it embraces. It becomes us, therefore, to examine it with attention, and to speak of it with the freedom demanded by the crisis. The addresses which accompany it, are written with great ability; containing impassioned and eloquent appeals to the feelings and prejudices of the people-- The third and fourth sections of the Ordinance are especially worthy of attention. The first of these prohibits the constitutional right of appeal to the supreme court of the United States, and declares "that any person or persons attempting to take such appeal, shall be dealt with as for a contempt of court;" and other declares, that all persons now holding any office of honor, profit of trust, civil or military, shall take an oath to obey, execute and enforce this Ordinance and such acts of the legislature as may be passed in pursuance thereof; and on the neglect or ommission of any such person or persons so to do, his or their office or offices, shall be forthwith vacated, and shall be filled up as if such person or persons were dead or had resigned, and no person hereafter elected to any office of profit or trust, civil, military, shall enter on the execution of his office, or be in any respect competent to discharge the duties thereof, until he shall in like manner, have taken a similar oath; and no juror shall be empaneled in any of the courts of this State, in any cause in which shall be in question the Ordinance, or any act of the legislature passed in pursuance thereof, unless he shall first, in addition to the usual oath, have taken an oath that he will well and truly obey, execute an enforce this Ordinance, and such act or acts of the legislature, as may be passed to carry the same into operation and effect," &c.

A mode of trial is here prescribed which effectually destroys the great and inestimable principles which have consecrated the name of jury through all ages of English and American liberty.

All persons who may be tried under this Ordinance, must necessarily rest their defense on the unconstitutionality of the Ordinance itself, and there cannot be a mockery more ineffably cruel,

than to require the judges and juries before whom they are arraigned, to take an oath beforehand to decide this question against them; In fact they are not permitted to enter on their trial till their conviction is secured by the oath if the court and the jury. But condemned as all inevitably must be, who are tried before a tribunal thus organized, their situation would not be hopeless, if the Ordinance had not proceeded to punish as for a contempt of court, any attempt to exercise the unquestionable constitutional right of appeal. I appeal with entire confidence to my fellow citizens to say, whether this is the kind of jury trial or the description of court which they have been accustomed to revere as the great safeguard of their liberties; as that impenetrable barrier which for ages has withstood the assaults of the enemies of the rights of man, and admonished the tyrant that thus far shalt thou go and no farther. I put it to them to say whether this Ordinance does not convert the trial by jury, as established by their ancestors and understood by themselves, into an engine of revolting and ruthless despotism.

Considerations of respect and obvious impropriety of interfering with the concerns of one of the sovereign States of the Union, would constrain me to refrain from noticing the consequences which will flow from this act to her own citizens, if it had not been deliberately submitted to this State for its approval. If adopted by us, its effects will be the same here as they have been and will be there, and I should be culpably negligent of the high trusts committed to my charge.

if I were not to warn out people of the dangers of this experiment, and of the certain and inevitable misfortunes in which it will involve that hitherto distinguished and patriotic member of this confederacy. The Union party of South Carolina does not fall short of 20,000 citizens, all of whom are under sentence of disfranchisement, unless they will renounce their political faith, founded as they conscientiously believe it to be, in the constitution, and confirmed by the testimony of almost every statesman who lived in the days of revolution. In this number are to be found many of the patriots of '76, and a long list of statesmen, whose lived have been spent in the service of their country, whose deeds have shed a luster upon the annals of their native State, and who would confer distinction on any age or nation. All these, without distinction are rendered ineligible to any office whatever, and made incapable of serving on juries. If I am not utterly mistaken in the spirit which animated the whole body of our people; in that abiding sense of justice and equal rights derived from the precepts and the example of their ancestors, and inculcated by the principles of our free institutions, this ordinance will receive no favor at their hands. Unjust and unequal as the tariff confessedly is, I am persuaded there is no party among us that would attempt its modification or repeal by degrading almost an equal number of their opponents to a condition little better than that of convicted felons, and by hunting them down with persecution that belonged to the days of religious intolerance. This ordinance. I know, is defended on the ground, that is the act of the majority, of the people; and like all our constitutions, requires an oath to be taken for its support, before a citizen is permitted to enter on the duties of any office to which he may be appointed. But when before in our country, has the spectacle been exhibited of a bare majority of a community, establishing an ordinance which proscribes the minority; takes from them their most valuable civil privileges; destroys all judicial independence, and degrades the trial by jury into a mere inquisitorial machine. Who among us will consent to destroy the rights of conscience and the freedom of opinion, as this ordinance does, to free ourselves from the payment of such pecuniary burthens as are imposed by the tariff? South Carolina has planted herself on her "State sovereignty." I conjure the freemen of Alabama to plant themselves on this glorious Union. On its preservation depends their liberties. Destroy it, and we afford at once a triumph to the enemies of freedom, who have always contended that mankind are incapable of self-government.

I lay before the General Assembly a Proclamation issued by the President of the United States. This document breathes a spirit of patriotism, an ardent attachment to the cause of civil liberty and a devotion to our free institutions, which will insure it an insertion in those pages of our history which record the Declaration of Independence and the farewell address of the father of his country. His views of the doctrine of nullification are profound, striking and conclusive. They are in strict accordance with those which were entertained by the illustrious sages who framed the Constitution, and demonstrate with uncommon ability that this theory is contrary to that instrument and subversive of the government. In times like the present when the public mind is heated and distracted by the discussion of great political questions, when a crisis is approaching which involves the destruction of republican government; it is proper that the people should attend to the counsels of one who can have no motive to deceive them, and who has won their confidence by a long course of faithful public services. No man living has contributed as much as Andrew Jackson to elevate the character of our common country, and no man has evinced a stronger attachment to the principles of free government. The highest office in the gift of the American people has been conferred on him, and it is the last he ever will receive. He had no ambition to gratify and no object to attain disdain from the honor and prosperity of his country.

This venerable and illustrious citizen advises and adjures us, as we honor and revere the memory of our ancestors, as we love the cause of freedom to which they dedicated their lived, as we prize the peace of our country and the lives of its best citizens, not to destroy their fair fame and glory of the American Republic, not to extinguish the last hopes of the friends of liberty throughout the world, by plunging into all the horrors of disunion and civil war. And under the influence of that high and exalted patriotism, which has enabled him so often to lead our armies to victory, he beseeches us never to take the filed unless the star spangled banner floats over us.

I request that the pamphlet may be sent to the Senate when the House of Representatives shall

have disposes of it.

The House resumed the consideration of the resolutions on the subject of the tariff laws.

The House adjourned till half past 6 o'clock this evening.

Night Session, half past 6 o'clock.–The message of the Governor of this day, was ordered to lie on the table. Ordered, that one hundred and fifty copies be printed for the use of this House.

Mr Rather called up the bill from the Senate entitled an act to change the time of holding the county court of Morgan county; it was referred to a select committee, consisting of messrs Rather, Houston of M. and Wilson.

Mr Creagh made the following report: The select committee to whom was referred the bill entitled an act to provide for the examination of the bank of the State of Alabama, and its several branches, have had the same under consideration, and have instructed me to report in favor of the second amendment, prefixed by mr Ormond, as an engrossed ryder, and also to fill the blanks in the bill with the word "six." Mr Ormond's amendment is as follows; at the end of the second section, insert the following "and

the said commissioners shall have power, and it is hereby made their duty to examine the record of the proceedings of the board of directors of said banks, and if they believe there has been any impropriety of conduct on the part of the directors, either by too great an emission of money, gross partiality, or from any other cause, it shall be their duty to remonstrate in writing with said board of directors, and to transmit a copy of said remonstrance to the legislature at its next session," which was adopted. The bill was read the third time; the question was on filling the first blank in the bill with the word "six," so that it will read six dollars, and lost: yeas 19, nays 32.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Brickell Camp Chamberlain Creagh Devereux Graham Houston of L. Hubbard Hudson of J. McAfee Morrisette Ormond Paul Perkins Rhodes Saunders and Trotter.

Those who voted in the negative are messrs Carmack Carithers Davis Drish Fleming Flournoy Fortson Goodrich Hall Hill Houston of M. Hudson of F. Johnson King Lee Lockhart Lusk Massey Miree Moffett Musgrove Norwood Oliver Porter Rather Reaves Rugely Simmons Tarrant Weissinger Williams Wilson and Young.

The question was to fill said blank with the word "five" and carried. Yeas 46, nays 6.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck Brickell Camp Carmack Chamberlain Creagh Devereux Drish Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Houston of M. Hubbard Hudson of J. Johnson King Lee Lusk McAfee Massey Miree Moffett Musgrove Norwood Oliver Ormond Paul Perkins Rather Rhodes Rugely Saunders Simmons Tarrant Trotter Williams and Young.

Those who voted in the negative are messrs Carithers Davis Lockhart Porter Reaves and Wilson.

The question was on filling the second blank with the word "five" and lost. Yeas 25; nays 27.

The yeas and nays being demanded those who voted in the affirmative are, messrs Beck Camp Carmack Chamberlain Creagh Fleming Flournoy Fortson Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. McAfee Morrisette Ormond Paul Perkins Rhodes Saunders Simmons Tarrant Trotter and Young.

Those who voted in the negative are messrs Speaker Brickell Carithers Davis Devereux Drish Goodrich Graham Hall Johnson King Lee Lockhart Lusk Massey Miree Moffett Musgrove Norwood Oliver Porter Rather Reaves Rugely Weissinger Williams and Wilson.

The blank was filled with the word "four," the bill was passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Reaves moved that the House adjourn until to-morrow morning, nine o'clock; which was lost. Yeas 4; nays 49.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Carithers, Porter, Reaves and Wilson.

Those who voted in the negative are, Messrs Speaker. Beck, Brickell, Camp, Carmack, Chamberlain, Creagh, Davis, Devereux, Drish, Fleming, Flournoy, Fortson, Goodrich, Graham, Hall, Hill, Houston, of L; Houston of M. Hubbard, Hudson of F. Hudson of J., Johnson, King, Lee, Lockhart, Lusk, McAfee, Massey, Miree, Moffett, Morrisette, Musgrove, Norwood, Oliver, Ormond, Paul, Perkins, Rather, Rhodes, Rugely, Saunders, Simmons, Sumners, Tarrant, Trotter, Weissinger, Williams, and Young.

Engrossed bills of the following titles, to wit: An act authorising certain persons therein named, to clear out and turnpike a road from the Wetumka falls to Syallacogga, an act to divide the first regiment of Alabama militia; and an act to authorise Thomas Brown to enter a certain tract of land therein named, were severally read the third time and passed. Ordered,

that the titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The bill entitled an act to divorce sundry persons therein named was read the second time, and the rule requiring bills to be read the three several days being dispensed with, it was taken as engrossed, and read the third time forthwith; and the question being put, Shall the bill pass? it was determined in the affirmative by a constitutional majority. Yeas 38, nays 13.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck, Camp, Carmack Chamberlain Davis Devereux Drish Fleming

Flournoy Fortson Graham Hall Houston of L. Houston of M. Hubbard King Lee Lockhart Lusk McAfee Massey Moffett Morrisette Norwood Oliver Ormond Paul Rather Rhodes Rugely Saunders Simmons Sumners Trotter Williams Wilson and Young.

Those who voted in the negative are, messrs Brickell Carithers Creagh Goodrich Hudson of F. Hudson of J. Miree Musgrove Porter Reaves Tarrant and Weissinger.

The bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to authorise the judge of the county court of Franklin county; and commissioners of roads and revenue, to designate the boundary and lands of each overseer, was, on motion of mr Hudson of F. laid on the table.

And then the House adjourned until to-morrow morning, nine o'clock.

Tuesday, January 1– A message from the Senate by mr Morton-- mr Speaker: The Senate have passed bills from the House of Representatives, of the following titles, to wit: An act providing for the payment of petit jurors, in the county of Jackson; an act more particularly to define the duties of Secretary of State, in relation to arrangement and printing of the acts of each session of the general assembly: an act regulating the time of service of the State printer; an act to exempt certain persons therein named, from the performance of military and other duties; an act for the relief of George Riggs; an act authorising a lottery for the benefit of Bellefonte academy, and for other purposes, which they have amended as therein will be seen; an act for the relief of John Jackson, tax collector of Marengo county, for the year 1832, an act authorising the citizens of Sommerville to elect a constable; an act to locate permanently the seat of justice in Covington county; and for other purporses; an act to establish a certain ferry therein named; an act declaratory of the charter of incorporation of the town of Claiborne, in the county of Monroe.

They have passed bills which originated in the Senate, of the following titles, to wit: An act to compensate patrols for their services in the county of Madison; an act to provide for the translating and recording of the British, French, and Spanish records of this State; and an act to organize the militia of Clarke county; in all which they ask the concurrence of your honorable body.

Mr Chamberlain, from the judiciary committee to whom was referred the bill to prevent frauds in the sale of oil, and for other purposes, reported the same without amendment, and recommend its passage, and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Ordered, that the House concur in the amendment made by the Senate to the bill entitled an act authorising a lottery for the benefit of Bellefonte academy, and for other purposes. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to compensate patrols for their services, in the county of Madison, was read and ordered to a second reading.

The bill from the Senate entitled an act to provide for the translating and recording of the British, French and Spanish records of this State, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and referred to the judiciary committee.

The bill from the Senate entitled an act to organize the militia of Clarke county, was read the first time, and the rule requiring bills to be

read on three several days being dispensed with, it was read the second

time forthwith, and the rule being further dispensed with, the bill was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Davis presented the petition of sundry citizens of Bibb county, praying to incorporate a light horse company, to be called and styled the Maplespleville Light Horse Company, which was read and referred to a select committee; whereupon messrs Davis, Sumners, and Tarrant, were appointed said committee.

Mr Herbert, from the committee on education to whom was referred the petition of William M. Price, praying the incorporation of the Washington Lafayette academy, reported a bill to be entitled an act to incorporate the Washington Lafayette academy, in the town of Tuscaloosa, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was then read the second time forthwith, and ordered to be engrossed for a third reading.

Mr Breedin, from the judiciary committee to whom was referred a resolution instructing them to inquire into the expediency of providing by law, that justices of the peace shall give bonds and security, reported a bill to be entitled an act requiring justices of the peace to give security, which was read and ordered to a second reading.

Mr Chamberlain, from the judiciary committee to whom was referred the bill for the regulation of wharf owners in the city of Mobile, reported that it is inexpedient to legislate on that subject; in which report the House concurred.

Mr Breedin, from the select committee to whom was referred the engrossed bill entitled an act to alter the wards in the city of Mobile, and the petitions of the citizens of said city on the like subject, reported a substitute for the engrossed bill, which was adopted, and the rule requiring bills to be read on three several days being dispensed with, it was taken for engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Richardson, from the select committee to whom was referred a memorial to the congress of the United States, in relation to the improvements on the Tennessee river, reported the same without amendment, and recommend its passage, and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Herbert from the committee on education to whom was referred the petition of sundry citizens of Clarke county, praying the incorporation of an academy of learning, in Coffeeville, in the county of Clarke, reported a bill to incorporate Pendleton academy, in the town of Coffeeville, county of Clarke, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and the rule being further dispensed with, the bill was taken for engrossed, and read a third time forthwith and passed. Ordered, that the bill be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Rather introduced a bill to be entitled an act to change the time of holding the county courts of Morgan and Tuscaloosa counties, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and the rule being further dispensed with, the bill was considered as engrossed and

read a third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to provide for the settlement of the estates of deceased persons, in certain cases therein named, was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Brodnax introduced a bill to be entitled an act to require jurors to be drawn in certain cases, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and ordered to be engrossed for a third reading.

Mr Carmack introduced a bill to be entitled an act to reduce the mileage of the members of the general assembly, which was read the first time and the question being put, shall this bill be read a second time? It was determined in the negative.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles viz: An act authorising Julien S. Devereux, administrator of the estate of Mary and Milton Bradley, deceased, to transfer all the papers and proceedings belonging to said estate, from the county of Covington, to the county of Conecuh; an act to amend an act relative to the Cahawba guards; an act to provide for the printing and distributing the laws and journals of the extra section of the general assembly of the State of Alabama, for 1832; an act extending the time granted John Fowler, for running a steam ferry boat between the city of Mobile and the town of Blakely; an act to educate children in certain cases; an act declaring Crow creek in Jackson county, a public highway.

The bill entitled an act to exempt fifty head cattle from taxation and for other purposes, was referred to a select committee consisting of messrs Hall, Trotter, and Devereux.

The bill entitled an act for the reduction of the taxes was read the second time. Mr Rather moved to amend it by adding thereto two additional sections. Mr Brodnax moved the previous question, and the question was, shall the call be sustained? and carried. The main question was then put, viz: Shall the bill be engrossed and read the third time? and passed in the affirmative.

A message was received from the Senate by mr Connor; mr Speaker The Senate recede from their amendment to the amendment of the House of Representatives, striking out the third section of the bill from the Senate entitled an act to revive in part and amend an act to allow trustees of the State university, pay for their services, passed December 26th, 1832.

The House resumed the consideration of the resolutions on the subject of the tariff laws.

The House then adjourned until 3 o'clock this evening.

Evening Session, three o'clock– The House resumed the consideration of the resolutions on the subject of the tariff laws.

The House adjourned until half past six o'clock this evening.

Night Session, half past six o'clock–The bill entitled an act to authorise the execution of Guilford Cade to prove the last will of the deceased, in the circuit court, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, the bill was taken for engrossed, and read the third time forthwith, and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Bills of the following titles to-wit: An act to compensate David Ricketts, for certain services rendered the State; an act to authorise a lottery for the benefit of building an academy at or near Statesville, in the county of Autauga; an act to authorise Ward Taylor and associated, to construct a turnpike road therein named; an act to incorporate the Montgomery Hall company; an act for the relief of John Brahan of Madison county; an act to incorporate the light horse in the county of Autauga; an act for the benefit of Cornelius Cox of Bibb county–were severally read the second time and ordered to be engrossed for a third reading.

The bill from the Senate entitled an act further to amend an act incorporating the town of Carrollton, approved 15th January, 1831, being under consideration; mr Flournoy moved that the bill be indefinitely postponed, which was carried.

The bill from the Senate entitled an act to divorce Julius Sneed from his wife Jane Sneed, was read a second time and ordered, to be engrossed for a third reading.

The bill from the Senate entitled an act supplemental to an act, to authorise James Doran to emancipate certain slaves therein named, approved January 20th, 1832, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to provide for the summoning of a jury to attend the county court of the county of Lauderdale, was read a second time and referred to the judiciary committee with instructions to report a general law.

The bill from the Senate entitled an act to preclude from office certain persons therein named. was read the second time. Mr Reaves moved that the bill be indefinitely postponed, which was lost: yeas 16, nays 37.

The yeas and nays being demanded, those who voted in the affirmative are Messrs Breedin Brodnax Chamberlain Coker Flournoy Hall Herbert Houston of M. Hubbard Keener Mason Rather Reaves Simmons Thompson and Williams.

Those who voted in the negative are messrs Speaker Beck Brickell Camp Carmack Carithers Creagh Davis Earle Fortson Goodrich Graham Hill Hudson of F. Hudson of J. Johnson King Lockhart Lusk Massey Morrisette Musgrove Oliver Ormond Porter Ross Saunders Scott Stewart Sumners Tarrant Walker Weissinger Wilson Witherspoon and Young.

The bill was referred to the judiciary committee with instructions to report without delay.

The engrossed bill entitled an act concerning free negro and mulatto children, was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The bill from the Senate entitled an act for the relief of Matthew Fontaine Goode, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the third time forthwith and passed. Ordered, that the title be as aforesaid.

The bill entitled an act to establish a road from the ferry at Montgomery by way of Kingston, in the county of Autauga, to Samuel Bogle's in Bibb county, was read the second time. Mr Sumners moved to amend the bill by way of proviso, which was adopted; the bill was ordered to be engrossed for a third reading.

Mr Morrisette from the select committee to whom was referred the engrossed bill entitled an act declaring certain rivers lawful enclosures, reported an amendment, which was adopted. Mr Brodnax moved to amend the

bill by way of proviso, which was adopted.  mr Weissinger moved that the bill be indefinitely postponed, which was carried.

The joint resolutions in relation to the lands granted by government of the United States to the French emigrant association, for the cultivation of the vine and olive lying in the county of Greene and Marengo, being on the second reading: mr Witherspoon moved that the resolution be indefinitely postponed, which was carried.

The bill entitled an act to organize the county of Barbour, and for other purposes, was read a second time. Mr Keener moved to amend the bill by striking out the name of William R. Windham, to insert the name of William Norton which was carried. The bill was ordered to be engrossed for a third reading.

And then the House adjourned until to-morrow morning nine o'clock.

Wednesday, January 2d, 1833.–Mr Ormond from the judiciary committee, to whom was referred the bill from the Senate entitled an act to preclude from office certain persons therein named, reported the same as expedient and constitutional; the bill was ordered to a third reading.

Mr Perkins presented the account of B.F. Randolph, which was read and referred to the committee on accounts.

Mr Moffett from the committee on accounts to whom was referred a bill from the Senate entitled an act making appropriations for claims against the State, also, the accounts and claims of diverse persons against the State, reported a bill to be entitled an act making appropriations for the payment of certain claims against the State, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith and referred to the committee on accounts.

Mr Breedin from the judiciary committee to whom was referred the bill from the Senate entitled an act to provide for the translating and recording the British, French, and Spanish records of this State, reported the same without amendment; the bill was ordered to a third reading.

Mr Wilson from the select committee to whom was referred the petition of Nancy G. Marr. executrix of William M. Marr, deceased, in relation to the payment of rent, to the University of Alabama, reported a bill to be entitled an act for the relief of Nancy G. Marr, executrix of William M. Marr, deceased, which was read and ordered to a second reading.

Mr. Davis from the select committee to whom was referred the petition of the light horse company, in the county of Bibb, praying to be incorporated, reported a bill to be entitled an act to incorporate the Maplesville light horse company, which was read and ordered to a second reading.

Mr Rather from the select committee to whom was referred the engrossed bill entitled an act to change the time of holding the county court of Morgan county, reported the same without amendment, and recommend that the bill lie on the table. Ordered, that the bill lie on the table.

The engrossed bill entitled an act for the reduction of the taxes, was read the third time. Mr Ormond moved to amend the 1st section by engrossed ryder by way of proviso, which was adopted. Mr Ormond moved to amend the bill by way of engrossed ryder, by adding thereto an additional section, which was adopted. Mr Perkins moved to amend the bill with these words: " and its branches," to come in at the end of the second section; the bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Miree made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to-wit: An act for the relief of John Jackson, tax collector of Marengo coun-

ty, for the year 1832, an act for the relief of George Riggs; an act providing for the payment of petit jurors in the county of Jackson; an act authorizing a lottery for the benefit of Bellefonte academy and for other purposes; all of which originated in the House of Representatives.

Mr Hudson of F. Called up the engrossed bill entitled an act to authorize the judge of the county court of Franklin county, and commissioners of roads and revenue, to designate the boundary and hands of each overseer; it was placed among the order of the day.

Mr Hudson of F. called up the bill entitled an act to remunerate John Cockrill, for clearing out and fencing a certain portion of University land it was placed among the orders of the day.

Joint resolutions on the subject of a penitentiary system, was read and ordered to be engrossed for a third reading.

A message from the Senate by mr Morton; mr Speaker, The Senate have passed a bill to be entitled an act to require a division of the city of Mobile into wards; and to regulate the discharge of ballast, which originated in the House of Representatives.

The bill from the Senate entitled an act to repeal in part an act therein mentioned, was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Fleming from the military committee to whom was referred the engrossed bill from the Senate, entitled an act to authorize the colonel commandant of the 15th regiment, and for other purposes, reported the same without amendment; the bill was ordered to a third reading.

Mr Hall from the select committee to whom was referred the bill to exempt fifty head of cattle from taxation, reported a substitute in lieu thereof, which was adopted; the bill was ordered to be engrossed for a third reading.

A message was received from the Senate by mr Morton; mr Speaker; The Senate have passed a bill entitled an act making appropriation for the payment of the officers and members of the general assembly, in which they ask the concurrence of the House of Representatives.

The bill from the Senate entitled an act making an appropriation for the payment of the officers and members of the general assembly; was read the first time, and the constitutional rule requiring bills to be read on three several days being dispensed; was read the second time, and on the constitutional rule being further dispensed, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to wit: An act to incorporate a company to build a bridge across the Black Warrior river opposite the town of Tuscaloosa; an act to establish a certain road therein named; an act to authorize the election of a justice of the peace and other officers, in the county of Pickens; an act more particularly to define the duties of the Secretary of State, in relation to the arrangement and printing of the acts of each session of the general assembly; an act regulating the time of service of State printer; an act to exempt certain persons therein named from the performance of military and other duties; an act declaratory of the charter of incorporation of the town of Claiborne, in the county of Monroe; an act to establish a certain ferry therein named; an act to locate permanently the seat of justice of Covington county, and for other purposes; and an act authorizing the citizens of Sommerville to elect a constable.

Mr Ormond offered the following resolution: Resolved, That the documents accompanying the governor's message in relation to the late ordinance of South Carolina be transmitted to the Senate; which was adopted.

The House then resumed the consideration of the resolutions reported by the select committee relative to the tariff laws and protective policy.

The House adjourned till this afternoon, three o'clock.

Evening Session, three o'clock–Mr Carithers made the following report; The committee on enrolled bills have examined and find correctly enrolled; an act making an appropriation for the payment of the officers and members of the General Assembly.

The House resumed the consideration of the resolutions reported by the select committee on the subject of the tariff laws. mr Herbert moved to strike out the second member of the resolutions; a division of the question was called for: mr Creagh moved the previous question, mr Herbert moved a call of the House, when the following members appeared and answered to their named, viz: messrs Speaker, Beck, Breedin, Brickell, Brodnax, Camp, Carmack, Carithers, Chamberlain, Coker, Creagh, Davis, Devereux, Drish, Earle, Fortson, Goodrich, Hall, Herbert, Houston, of L. Houston of M., Hubbard, Hudson of F., Hudson of J., Johnson, King, Lee, Lockhart, Lusk, McAfee, McRea, Massey, Mason, Miree, Moffett, Morrisette, Musgrove, Norwood, Oliver, Paul, Perkins, Porter, Rather, Reaves, Rhodes, Richardson, Rugely, Saunders, Scott, Sumners, Thompson, Trotter, Walker, Weissinger, Williams, Wilson, Witherspoon, and Young. The resolution was postponed for an hour.

Mr Porter introduced a bill for the relief of Samuel G. Cloud, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read the second time forthwith, and the rule being further dispensed with, it was taken as engrossed, and read a third time forthwith and passed. Ordered, that the title be aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Miree made the following report: The committee on enrolled bills have examined and find correctly enrolled, an act to require a division of the city of Mobile into wards, and to regulate the discharge of ballast, which originated in the House of Representatives.

Engrossed bills of the following titles; to wit: An act providing for the maintenance and education of certain persons therein named: an act to regulate appeals taken from justices of the peace to the circuit or county courts; an act better to regulate escheats; Joint memorial to the Congress of the United States, were severally read the third time and passed. Ordered, that the titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The bills from the Senate of the following titles; to wit: An act to simplify scire facias in criminal cases, and for other purposes; an act to amend an act to incorporate and empower religious societies of every denomination to hold real estate, were several read the third time and passed. Ordered, that the titles be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The engrossed bill entitled an act to appropriate a certain fund therein named, was laid on the table.

The engrossed bill entitled an act to regulate the fees of the sheriffs and clerks of the circuit and county courts; was read the third time and passed. Mr Creagh moved to amend the title of the bill with the following: An act to prevent attorneys receiving tax feed in certain cases; which was adopted. Ordered, that the title be aforesaid. Ordered, that the same be

sent to the Senate for their concurrence.

The engrossed bill entitled an act to regulate the power of pardon, & c. mr Porter moved that the bill be postponed until the first Monday in August next, which was carried.

The bill from the Senate entitled an act to provide for electing justices of the peace and constables. Mr Hudson of F. moved that the bill be indefinitely postponed, which was carried.

The hour having expired at mr Herbert's call of the House, the absent members were excused for non attendance.

The question recurred on mr Herbert's motion to strike out. The question recurred on mr Creagh's call for the previous question; and the question was, Shall the called be sustained and carried. The main question was on ordering the resolution to a third reading, and passed in the affirmative. Upon a question to order; The question was on ordering the joint resolution to be engrossed and read a third time; a division of the question was called for: mr Speaker decided that the subject was susceptible of division, from which decision mr Hubbard appealed, and the decision of mr Speaker was sustained. The question was then put, on ordering the first member of the resolutions to be engrossed and read a third time and carried. Yeas 66, nay 1.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Coker Cook Creagh Davis Drish Earle Fleming Flournoy Fortson Graham Goodrich Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson King Keener Lockhart Lusk McAfee Massey Mason Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Rhodes Richardson Ross Rugely Saunders Scott Stewart Sumners Simmons Tarrant Thompson Trotter Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

Mr Reaves voted negative in the election.

The question was on ordering the second member of the resolutions to be engrossed and read the third time and carried. Yeas 49; nays 19.

The yeas and nays being demanded, those who voted in the affirmative, are Messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Earle Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Houston of M Hudson of F. Hudson of J. Johnson King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Rather Rhodes Richardson Scott Stewart Sumners Tarrant Thompson Walker Weissinger Willaims Witherpsoon and Young.

Those who voted in the negative are Messrs Brodnax Coker Cook Devereux Drish Herbert Hubbard Keener Lee Miree Oliver Porter Reaves Ross Rugely Saunders Simmons Trotter Ward Ware and Wilson.

The question was on ordering the third member of the resolutions to be engrossed, and read a third time and carried. Yeas 51, nays 16.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Rather Rhodes Richardson Saunders Scott Stewart Sumners Tarrant Thompson Walker Ward Weissinger Williams Witherspoon and Young.

Those who voted in the negative are messrs Brodnax Coker Cook Devereux Earle Herbert Hubbard Keener Lee Mirree Oliver Porter Reaves Ross Rugely Simmons Ware and Wilson.

The question was on ordering the third member of the resolutions to be engrossed, and read a third time and carried. Yeas 51, nays 16.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker

Beck Breedin Brickell Camp Carmack Carithers Chamberlain Cook Creagh Davis Earle Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Rather Rhodes Richardson Scott Stewart Sumners Tarrant Thompson Walker Ward Weissinger Willaims Witherpsoon and Young.

Those who voted in the the negative are messrs Brodnax Coker Devereux Drish Herbert Hubbard Keener Lee Miree Oliver Porter Reaves Ross Rugely Saunders Simmons Trotter Ware and Wilson.

Upon a question of order. A motion was made by mr Herbert for a di-

vision of the fifth member of the resolutions. Mr Speaker decided that the sense of the subject would not allow a division; from which decision mr Wilson appealed.

Those who voted to sustain the decision of mr Speaker, are Messrs Beck Breedin Brickell Camp Carmack Chamberlain Cook Creagh Davis Devereux Earle Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson King Lockhart Lusk M'Afee Massey Mason Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Porter Rather Rhodes Richardson Scott Stewart Sumners Tarrant Thompson Walker Ward Weissinger Williams Witherspoon and Young.

Those who voted against the decision, are messrs Brodnax Coker Drish Herbert Keener Lee Miree Oliver Reaves Rugely Saunders and Wilson.

The question was to engross and read the third time the fifth member of the resolutions; and carried. Yeas 51, nays 17.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Brickell Camp Carithers Coker Cook Creagh Davis Devereux Drish Earle Fleming Fortson Goodrich Graham Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Porter Rather Rhodes Richardson Saunders Scott Stewart Sumners Tarrant Thompson Trotter Ward Weissinger Williams Witherspoon and Young,

Those who voted in the negative are messrs Breedin Brodnax Carmack Chamberlain Flourney Hall Herbert Hubbard Keener Lee Miree Oliver Reaves Ross Rugely Simmons Walker and Wilson.

The question was to engross and read the third time the preamble to the resolutions, which was carried. Yeas 57; nays 11.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Houston of m. Hudson of F. Hudson of J. Johnson King Lockhart Lusk McAfee Massey Mason Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Porter Rather Rhodes Richardson Saunders Scott Stewart Sumners Tarrant Thompson Trotter walker Ward Weissinger Williams Witherpsoon and Young.

Those who voted in the negative are messrs Brodnax Herbert Hubbard Keener Lee Miree Oliver Reaves Ross Rugely Simmons and Wilson.

The preamble and resolutions were ordered to be engrosses and made the special order of the day for to-morrow at eleven o'clock for their third reading. Mr Breedin moved that the House adjourn until tomorrow morning, nine o'clock, which was carried. Yeas 40; nays 24.

The yeas and nays being demanded, those who voted in the affirmative are messr Speaker Beck Breedin Brickell Camp Carithers Chamberlain Creagh Earle Fleming Flournoy Fortson Graham Hall Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. King Lockhart McAfee Massey Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Richardson Saunders Scott Stewart Sumners Tarrant Walker Williams and Witherspoon.

Those who voted in the negative are messrs Brodnax Carmack Coker Davis Drish Goodrich Herbert Johnson Keener Lee Lusk Mason Miree Oliver Porter Rather Reaves Rhodes Rugely Thompson Trotter Weissinger Wilson and Young.

And then the House adjourned.

Thursday, January 3– A message was received by mr Morton–mr Speaker: The Senate have passed bills from the House of Representatives of the following titles, viz: An act for the relied of William Moore; an act to incorporate the town of Claysville, in Jackson county, an act to annex

a part of the county of Monroe to the county of Butler, an act to establish an academy at Blountsville; an act to class causes in the circuit court of Mobile county; an act to authorise certain persons therein named to clear out and turnpike a road from the Wetumpka falls to Syllacogga; an act to repeal the several acts concerning roads, bridges, ferries, and highways, in the county of Mobile; an act to provide for the transfer of stock issued by the State,

and for the renewal of lost certificates thereof; the last of which they have amended as shown in the bill. The Senate have passed bills of the following titles, to wit: An act to authorise William Bonner, administrator of James Bonner, deceased, to make title to real estate; an act to divide the State into districts for electing representatives to Congress, in all of which the concurrence of the House of Representatives is respectfully asked.

Ordered, that the House concur in the amendment made by the Senate to the bill entitled an act to provide for the transfer of stock issued by the State, and for the renewal of lost certificates thereof. Ordered, that the clerk acquaint the Senate therewith.

Bills from the Senate of the following titles, to wit: An act to authorise William Bonner, administrator of James Bonner, senior, deceased, to make title to real estate, an act to divide the State into districts for electing representatives to Congress, were severally read and ordered to a second reading.

Mr Wilson presented the account of Kelly and Donoho, and also the account of D. Woodruff; they were severally read and referred to the committee on accounts.

Mr Earle presented the petition of sundry inhabitants of that part of Shelby; formerly the county of Jefferson, praying the repeal of a certain law therein named; which was read and referred to the delegation of Jefferson and Shelby counties.

Mr Ormond, from the judiciary committee to whom was referred the bill from the Senate to provide for the summoning of a jury to attend the county court of the county of Lauderdale, reported sundry amendments, which were adopted; it was ordered to a third reading.

Mr Herbert, from the committee on education to whom was referred the petition of the inhabitants of the sixteenth section, fourth township, tenth range west, praying the passage of a law authorising them to sell any part of said section, reported a bill to be entitled an act to authorise the commissioners of the sixteenth section, fourth township, tenth range west, to sell any part of said section, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time; and the rule being further dispenses with, it was read the third time forthwith, considered as engrossed, and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Paul, from the select committee to whom was referred the bill from the Senate to alter the State road from E. Burrow's in Dallas county, to Montevallo, in Shelby county, reported sundry amendments, which were adopted; the bill was ordered to be engrossed for a third reading.

Mr Creagh, from the committee on ways and means to whom was referred a resolution instructing them to inquire into the expediency of setting apart a sum of money for the commencement of a public library, reported that a portion of the public money could not be appropriated for a better purpose, but that it is too late in the season to act upon the subject, and ask leave to be discharged from the further consideration of the subject, which was granted.

The same committee, to whom was referred a resolution instructing them to inquire into the expediency of taxing the stock and all other property belonging to the branch bank of the United States, located within the limits of this State, reported that in their opinion the session is too far advanced to give that subject the consideration which its importance demands, and ask leave to be discharged from its further consideration, which was granted

Mr Hudson of F. from the select committee to whom was referred the petition of the citizens of the town of Tuscumbia, praying the passage of a law authorizing them to elect an additional justice of the peace and constable, reported a bill to be entitled an act to authorise the election of certain officers therein named, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and the rule being further dispensed with, it was considered as engrosses, read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence

Mr Herbert from the committee on education to whom was referred the bill entitled an act to amend the laws in relation to 16th sections, reported the same without amendment, and recommend its passage; the bill was ordered to be engrossed for a third reading.

Mr Wilson offered the following resolution: Resolved, that his Excellency's late message communicating to this House the late ordinance of South Carolina, with the address accompanying the same, and the proclamation of the president of the United States in relation thereto, be taken from the table for the purpose of referring the same to a select committee with instructions to report resolutions or remonstrances against the employ ment of military force either by South Carolina or the federal government until a federal convention can be called to adjust the subjects which have produced the collission between the said State of South Carolina, and the said federal government, and to urge on South Carolina, the propriety of putting off to a period beyond the 1st February next, the effect of her ordinance. Mr Reaves called for the previous question, which was objected to by the House. mr Goodrich moved that the further consideration of the resolutions be postponed until the first Monday in August next, which was lost; yeas 10, nays 52.

The yeas and nays being demanded those who voted in the affirmative are Messrs Beck Camp Carithers Flournoy Goodrich Hudson of F. King Lusk Massey and Weissinger.

Those who voted in the negative are messrs Speaker Breedin Brickell Brodnax Carmack Coker Creagh Davis Devereux Drish Earle Fleming Fortson Graham Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Keener Lee Lockhart McAfee McRea Mason Miree Moffett Morrisette Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Rugely Simmons Stewart Sumners Tarrant Thompson Trotter Walker Williams Wilson Witherspoon and Young.

Mr Flournoy moved to amend the resolution by striking out all after the word "committee," which was lost : yeas 25, nays 39.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Beck Brickell Camp Carmack Carithers Davis Fleming Flournoy Hill Hudson of F. Hudson of J. King Lockhart Lusk McAfee McRea Massey Morrisette Richardson Sumners Walker Weissinger Williams and Witherspoon.

Those who voted in the negative are messrs Speaker Brodnax Breedin Coker Cook Creagh Devereux Drish Earle Fortson Goodrich Graham Hall Herbert Houston of L. Houston of M. Hubbard Keener Lee Mason Miree Moffett Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Rugely Simmons Stewart Tarrant Thompson Trotter Ward Wilson and Young.

The resolution was adopted; whereupon messrs Wilson, Herbert, Ormond, Oliver, Brickell, Creagh, Porter, and Hubbard, were appointed said committee.

The bill from the Senate entitled an act to preclude from office certain

persons therein named, was referred to the judiciary committee.

On motion of mr Ormond, Resolved, that the new digest with the accompanying papers be sent forthwith to the Senate.

Engrossed bills of the following titles; to-wit: An act to revise, amend

amplify and repeal in part certain acts contained in the new digest of the statutes of this State; an act to provide for the appointment of commissoners without this State, to take testimony, &c.; an act to authorise the appointment of deputy clerks in the several courts of this State; and, an act to amend the several acts regulating the attendance of witnesses, and the taking of depositions of witnesses, were severally read the third time and passed. Ordered, that the titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

A message was received from the Governor, by James I. Thornton, Esq. mr Speaker: The Governor did on the 1st and 2d instant, approve and sign the following bills; An act to provide for printing an additional number of the acts and journals for the use of certain counties therein named. an act to establish and incorporate the town of North Tuscaloosa, in the county of Tuscaloosa; an act specifying the distance of residence from the seat of justice; that the judge of the county courts of certain counties therein named, may reside; an act to incorporate the merchant's insurance company in Mobile; an act providing for the completion of the State capitol, and for other purposes; an act for the relief of Ludwell W. Taylor and others; an act to authorise the tax collector of Monroe and Pike counties, to receive jury certificates in payment of county taxes; joint resolutions authorising the secretary of State to subscribe for thirty four copies of a map of the State of Alabama, about to be published by John Lattourette ; and, an act to authorise the judge of the county court and commissioners of revenue and roads of Wilcox county, to levy an extra tax for the purpose of building a jail in said county; all of which originated in the House of Representatives.

The engrosses joint resolutions on the protective system of the United States, the tariff and nullification, was read the third time. Mr Williams moved to amend the resolutions by adding thereto two additional resolutions by way of engrossed ryder, which was adopted: yeas 45, nays 14.

The yeas and nays being demanded, those who voted in the affirmative are messrs Beck Breedin Camp Carmack Carithers Cook Creagh Davis Drish Earle Flournoy Fortson Graham Hall Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson King Lockhart Lusk McAfee McRea Massey Mason Moffett Morrisette Musgrove Ormond Paul Perkins Rather Richardson Stewart Sumners Tarrant Thompson Walker Weissinger Williams Witherspoon and Young.

Those who voted in the negative are, messrs Brodnax Coker Devereux Herbert Keener Lee Miree Oliver Reaves Rugely Saunders Simmons Ward and Wilson.

Mr Herbert in the chair, mr Wilson offered the following resolution as an engrossed ryder; Resolved, that the assembly does deprecate the use of military force by the State of South Carolina, or the federal government; in the adjustment of the present disastrous collision of State and federal authority; mr Chairman decided that the amendment was out of order, from which opinion mr Wilson appealed, and the House sustained the decision of mr Chairman. Mr Ormond moved a call of the House, when the following members appeared and answered to their names, to-wit: messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Carithers Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart Lusk McAfee McRea Massey Mason Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ward Weissinger Williams Wilson Witherspoon and

Young.

Mr Ormond moved that the absent members be sent for, which was carried. The resolution was postponed for on hour

The engrossed bill entitled an act providing for the sale of State stock. mr Rhodes moved that the bill be indefinitely postponed, which was carried.

The engrossed bill entitled an act more effectually to secure the revenue arising to this State upon free persons of color. mr Hall moved that the bill be indefinitely postponed, which was carried.

The engrossed bill entitled an act making appropriations from the three per cent fund, for certain improvements therein named, was read the third time. mr Saunders moved that the bill be indefinitely postponed.

The hour having expired, at the instance of mr Ormond's call of the House, the absentees were excused for their non-attendance.

The question recurred on the passage of the joint resolutions on the protective system of the United States, the tariff and nullification. The question being put, shall the resolutions pass? it was determined in the affimative: yeas 48, nays 19.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Earle Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson King Lockhart Lusk McAfee McRea Massey Mason Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Rather Rhodes Richardson Scott Stewart Sumners Tarrant Thompson Walker Weissinger Williams Witherspoon and Young,

Those who voted in the negative are Messrs Brodnax Coker Cook Devereux Drish Herbert Hubbard Keener Lee Miree Oliver Porter Reaves Ross Rugely Saunders Simmons Trotter Ward Ware and Wilson.

Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Ormond moved that the rule requiring the House to continue in session until the hour of one o'clock, P.M. be suspended, that the House may adjourn until 3 o'clock, which was lost: yeas 23, nays 42.

The yeas and nays being demanded, those who voted in the affirmative are messrs Breedin Brodnax Camp Coker Davis Earle Flournoy Goodrich Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lockhart Mason Musgrove Ormond Perkins Richardson Stewart Tarrant and Thompson.

Those who voted in the negative are messrs Speaker Beck Brickell Carmack Carithers Cook Creagh Devereux Drish Fleming Fortson Graham Hall Herbert Hudson of F. Johnson Keener Lee Lusk McAfee Massey Miree Moffett Morrisette Norwood Oliver Paul Porter Rather Reaves Rhodes Rugely Saunders Simmons Trotter Walker Ward Weissinger Williams Wilson Witherspoon and Young.

The question recurred on mr Saunder's motion to postponed indefinitely the bill entitled an act making appropriations from the three per cent fund, for certain improvements therein named, and lost: yeas 31, nays 35.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck Brickell Brodnax Coker Cook Creagh Drish Fortson Hall Herbert Hudson of F. Johnson Keener Moffett Morrisette Oliver Paul Perkins Porter Reaves Rugely Saunders Simmons Thompson Trotter Walker Ward Williams Wilson and Witherspoon.

Those who voted in the negative, are messrs Breedin Camp Carmack Carithers Davis Devereux Earle Fleming Flournoy Goodrich Graham Hill Houston of L. Houston of M. Hubbard Hudson of J. King Lee Lockhart Lusk McAfee Massey Mason Miree Musgrove Norwood Ormond Rather Rhodes Richardson Stewart Sumners Tarrant Weissinger and Young.

Mr Ormond moved to amend the bill by way of engrossed ryder, by adding thereto an additional section, number thirteen. Mr Musgrove moved the following amendment by way of engrossed ryder: Sec. And be it further enacted, that the three per cent fund which may hereafter accrue

or belong to this State, increasing until it amounts to fifty thousand dollars, shall be applied to such objects of internal improvement, as may be necessary in such counties in equal proportion as have had no appropriation in the foregoing sections of this act. Mr Herbert being in the chair, decided that the amendment was out of order, from which decision mr Ormond appealed.

The House then adjourned til 3 o'clock this afternoon.

Evening Session, three o'clock–Mr Ormond asked leave to withdraw the appeal taken on mr Musgrove's amendment, to the bill entitled an act making appropriations from the three per cent fund for certain improvements therein named, which was granted. Mr Musgrove renewed the appeal. Mr Musgrove moved a call of the House, when the following members answered to their named, to-wit: messrs Breedin Brickell Carmack Cook Creagh Earle Fleming Flournoy Fortson Graham Herbert Hill Houston of L. Houston of M. Hudson of F. Johnson Keener King Lee Luck McAfee McRea Massey Mason Miree Moffett Morrisette Musgrove Ormond Paul Perkins Porter Rather Richardson Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Weissinger Witherspoon and Young.

The further consideration of the bill was postponed for one hour.

Engrossed bills of the following titles, to-wit: An act to provide for making deductions from the salaries of public officers, who may fail or neglect to perform the duties of their offices, an act to compensate David Ricketts, for certain services therein named; an act to require jurors to be drawn in certain cases; an act to incorporate the Washington Lafayette academy; an act to authorise a lottery for the benefit of building an academy at or near Statesville, in the county of Autauga; an act for the benefit of Connelius Cox of Bibb county; an act to incorporate the light horse in the county of Autauga, and, an act to establish a road from the ferry at Montgomery, by way of Kingston, in the county of Autauga, to Samuel Bogle's in Bibb county; were severally read the third time and passed. Ordered, that the titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The joint memorial to the congress of the United States, asking preemption rights to the settlers on public lands, was read the second time- mr Flournoy moved to amend it by inserting the words "Choctaw and Chicasaw," between the words "Creek" and "nation" which was adopted. mr Porter moved to refer the memorial to the committee on education, which was carried.

The bill from the Senate entitled an act to divorce Julius Sneed from his wife Jane Eliza Sneed, was read the third time and the question being put shall the bill pass? It was determined in the affirmative by a constitutional majority: yeas 43, nays 19.

The yeas and nays being demanded those who voted in the affirmative are messrs Speaker Beck Breedin Brodnax Carmack Chamberlain Coker Cook Davis Drish Earle Fleming Fortson Graham Hall Herbert Hill Houston of L. Houston of M. Keener King Lee Lockhart Lusk Massey Moffett Morrisette Norwood Oliver Ormond Paul Perkins Rather Rhodes Rugely Scott Simmons Stewart Sumners Thompson Trotter Williams and Young.

Those who voted in negative are messrs Brickell Carithers Creagh Flournoy Goodrich Hudson of F. Hudson of J. Johnson Mason Miree Musgrove Porter Richardson Saunders Tarrant Walker Ward Weissinger and Witherspoon.

The engrossed bill entitled an act for the relief of John Brahan of Madison county, being on its third reading; mr Lusk moved that the bill be indefinitely postponed.

The hour having expired, at the instance of mr Musgrove's call of the House, the absentees were excused.

The question recurred upon mr Musgrove's appeal : the opinion of the chair was sustained; yeas 44, nays 15.

Those who voted to sustain the chair are messrs Beck Breedin Brodnax Carmack Carithers Chamberlain Coker Cook Creagh Devereux Drish Fleming Fortson Graham Hall Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Lee Lusk McAfee McRea Miree Moffett Nor-

wood Oliver Paul Rather Reaves Richardson Rugely Saunders Scott Simmons Thompson Trotter Walker Ward Williams Wilson Witherspoon and Young.

Those who voted against the decision are messrs Brickell Davis Earle Flournoy Hill Johnson Lockhart Massey Mason Musgrove Ormond Stewart Sumners Tarrant and Weissinger.

Mr Goodrich was excused from voting.

The question recurred on the adoption of Mr Ormond's engrossed ryder, and carried: yeas 46, nays 1.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Beck Brickell Breedin Brodnax Carmack Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Goodrich Fortson Graham Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Lee Lockhart Lusk McAfee McRea Massey Mason Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Rhodes Richardson Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Trotter Walker Ward Weissinger Williams Wilson Witherspoon and Young.

Mr Reaves voted in the negative.

The question was on the passage of the bill, and the question being put, shall this bill pass, it was determined in the affirmative; yeas 34, nays 31.

The yeas and nays being demanded those who voted in the affirmative are Messrs Breedin Carmack Carithers Chamberlain Davis Devereux Earle Fleming Flournoy Goodrich Graham Hill Houston of L. Houston of M. Hubbard Hudson of J. Lee Lockhart Lusk McAfee Massey Mason Miree Norwood Ormond Rather Rhodes Richardson Scott Stewart Sumners Tarrant Weissinger and Young.

Those who voted in the negative are messrs Speaker Beck Brickell Brodnax Coker Cook Creagh Drish Fortson Hall Herbert Hudson of F. Johnson Moffett Morrisette Musgrove Oliver Paul Perkins Porter Reaves Rugely Saunders Simmons Thompson Trotter Walker Ward Williams Wilson and Witherspoon.

The bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

And then the House adjourned until to-morrow morning, nine o'clock.

Friday, January 4–Mr Herbert, from the committee on education, to which was referred the bill for the relief of the purchasers of the sixteenth sections, reported the same without amendment, and recommended its passage. The bill was ordered to be engrossed for a third reading.

Mr Oliver presented the petition of sundry inhabitants of Montgomery on the subject of a road from the town of Montgomery to the town of Mobile, which was read and ordered to lie on the table.

Mr Cook, from the committee on propositions and grievances to whom was referred the bill from the Senate entitled an act for the relief of Thomas Mitchell, of Jefferson county, reported the same without amendment, and the rule requiring bills to be read on three several days being dispenses with, the bill was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Herbert, from the committee on education, to whom was referred the bill entitled an act to amend the several acts relating to sixteenth sections, reported the same without amendment, and recommend its passage, and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Ormond from the committee on inland navigation, to whom was referred the bill from the Senate to authorise the Tennessee canal commissioners to alter the plan of improvement on that river, and for other purposes, reported sundry amendments. mr King moved that the bill be postponed until Monday next, which was carried.

Mr Moffett from the committee on accounts to whom was referred the accounts of O.J. Williams, for conveying pursuant to order, from Savannah, in the State of Georgia, to Pike county in the State of Alabama, Littleton Prince, charged with slave stealing, reported a bill to be entitled an act for the relief of O.J. Williams, which was read, and the rule requiring

bills to be read on three several days being dispensed with, it was read a second time forthwith and referred to a select committee, consisting of messrs Keener, Cook, and Paul.

Mr Earle, from the committee consisting of the delegation from Shelby and Jefferson, to which was referred the petition of sundry citizens of that part of Shelby county which will be attached to Jefferson on the first of

March next, praying the act so attaching them may be repealed, or that an-additional portion of the county of Shelby be attached to Jefferson, sufficient to form a beat company, reported that it is inexpedient at the present, time to legislate upon the subject, and ask leave to be discharged from the further consideration of the subject, which was granted.

Mr Ormond introduced a bill to be entitled an act to enable Amos Robinson to emancipate a certain slave therein named, which was read the first time, and the rule requiring bills to be read on three several days being dispenses with, the bill was read the second time forthwith. mr Tarrant moved the following amendment; Strike our "this State" and insert "the United State," which was lost. mr Herbert moved that the bill be indefinitely postponed, which was lost: and the question being put, shall this bill be engrossed for a third reading, it was determined in the affirmative. Yeas 41; nays 16.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Speaker Beck Camp Carmack Chamberlain Coker Creagh Devereux Earle Fleming Flournoy Fortson Goodrich Graham Houston of L. Houston of M. Hudson of F. Keener King Lockhart McRea Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Rather Reaves Richardson Rugely Scott Simmons Stewart Thompson Walker Weissinger Williams and Young.

Those who vote din the negative are messrs Carithers Davis Drish Herbert Hollis Hudson of J. Lusk Porter Saunders Sumners Tarrant Ward and Witherspoon.

A message was received from the governor by James I. Thornton, which is as follows:

EXECUTIVE DEPARTMENT, Tuscaloosa, January 3, 1833

To the Senate and House of Representatives of the State of Alabama: I lay before the General Assembly a copy of a letter from George N. Stewart, Esq who hold the appointment of Reporter for the Supreme Court. From this communication it is apparent that the work which Mr Stewart has prosecuted with so much ability for the last two years, will have to be abandoned unless his compensation be increased or the mode of publishing the decisions of the Supreme Court be changed. He has submitted to me a detailed, though informal statement of the expenses he has necessarily to incur and I am satisfied that they were very nearly equal the compensation allowed him by the existing laws. He will be prepared to submit the same statement to any committee that may be appointed to examine the subject. I would respectfully suggest for you consideration, whether it would not be expedient to leave the whole subject to the Supreme Court, as well the manner in which the work should be executed as the amount of compensation. From their situation it is more likely that they would be better able to determine as to the proper sum, than those who cannot have the same intimate knowledge of the duties of the Reporter or the amount of labor he has to perform.

JOHN GAYLE

Ordered, that said message, with the accompanying documents, be referred to the judiciary committee.

Mr Herbert, from the committee on education, to whom was referred a joint memorial to the Congress of the United States , asking pre-emption rights, reported that they recommend the same to be laid on th table which was agreed to by the House.

The same committee reported a joint memorial to the Congress of the United States, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith ; and the rule being further dispensed with, it was considered as engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Drish, from the committee on emancipation, to whom was referred the

bill from the Senate entitled an ac to authorise Samuel Bowden, of Shelby county, to manumit and set free certain slaves therein named, reported sundry amendments, which were adopted; the bill was ordered to a third reading.

The question recurred on mr Lusk's motion made on yesterday to postpone indefinitely the bill for the relief of John Brahan of Madison county. mr Brickell moved the previous question: the question was, shall the call be sustained, and carried. The main question was then put, viz: Shall this bill be indefinitely carries. The main question was then put, viz: Shall this bill be indefinitely postponed, a carried. Yeas 39, nays 20.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Brickell Brodnax Carmack Carithers Creagh Davis Earle Flournoy Fortson Goodrich

Herbert Hollis Houston of I. Houston of M. Hudson of F. Hudson of J. Johnson Keener Lockhart Lusk McRea Massey Miree Moffett Morrisette Musgrove Norwood Oliver Reaves Scott Stewart Sumners Thompson Walker Weissinger Witherspoon and Young.

Those who voted in the negative are messrs Camp Chamberlain Fleming Graham Hill Hubbard King Ormond Paul Perkins Porter Rather Rhodes Richardson Rugely Saunders Simmons Tarrant Williams and Wilson.

The bill to remunerate John Cockrill for clearing and fencing a certain portion of University lands being under consideration. mr Herbert moved that the bill be indefinitely postponed, which was carried. Yeas 47, nays 12.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Speaker Beck Brickell Brodnax Camp Carmack Carithers Chamberlain Coker Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Herbert Hill Houston of L. Houston of M. Hudson of J. Johnson Keener Lockhart Lusk Massey Moffett Morrisette Oliver Ormond Paul Perkins Rather Reaves Rhodes Richardson Saunders Scott Simmons Sumners Tarrant Weissinger Williams Wilson and Witherspoon.

Those who voted in the negative are Messrs Cook Hollis Hudson of F. McRae Miree Porter Rugely Stewart Thompson Walker Ward and Young.

The bill from the Senate entitled an act to establish a State road from the town of Tuscaloosa to the Mississippi State line by the way of the town of Carrollton and Pickensville, in Pickens county, being under consideration: mr Moffett moved that the bill lie on the table, which was lost. Yeas 27, nays 33.

The yeas and nays being demanded those who voted in the affirmative are, messrs Speaker Brickell Brodnax Camp Carmack Coker Creagh Davis Devereux Drish Fortson Herbert Hollis Hudson of F. Johnson Keener Moffett Morrisette Paul Porter Reaves Rugely Saunders Simmons Walker Ward and Witherspoon.

Those who voted in the negative; are messrs Breeding Carithers Chamberlain Cook Earle Fleming Flournoy Goodrich Graham Hall Hill Houston of M. Hubbard Hudson of J. Lockhart Lusk Massey Miree Musgrove Norwood Ormond Perkins Rather Rhodes Richardson Scott Stewart Sumners Tarrant Thompson Weissinger Williams Wilson and Young.

Mr Witherspoon moved that the further consideration of the bill be postponed until Wednesday next, which was carried. Yeas 32, nays 31.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Speaker Beck Brickell Breedin Brodnax Camp Carmack Coker Creagh Davis Devereux Drish Fortson Hall Herbert Hollis Houston of L. Hudson of F. Johnson Keener Moffett Morrisette Musgrove Paul Porter Reaves Rugely Saunders Simmons Walker Ward and Witherspoon.

Those who voted in the negative are, messrs Carithers Cook Earle Fleming Flournoy Goodrich Graham Hill Houston of M. Hubbard Hudson of J. Lockhart Lusk Massey Miree Norwood Ormond Perkins Rather Rhodes Richardson Scott Stewart Sumners Tarrant Thompson Weissinger Williams Wilson and Young.

The House then adjourned until three o'clock this afternoon.

Evening Session, three o'clock–Mr Ormond called up the bill to alter and establish the judicial circuits, which was referred to messrs Creagh Paul, Wilson, Ormond, Graham, Cook, Hudson of F. and Oliver.

Mr Miree made the following report ; The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to wit: An act authorising certain persons therein named, to clear out and turnpike a road from the Wetumpka falls to Syllacogga: an act to provide for the transfer of stock issued by the State, and for renewal of lost certificates thereof; an act to incorporate the town of Claysville, in Jackson county; all of which originated in the House of Representatives.

The bill entitled an act for the better regulation of patrols, was read a second time. Mr Musgrove moved to amend it by way of the following proviso: "Provided, That this act shall not extend to the county of Blount,"

which was adopted. The bill was ordered to be engrossed and made the special order of the day for its third reading on tomorrow.

A message from the Senate by mr Morton; mr Speaker; The Senate have passed a bill entitled an act to amend the charter of the bank of the State of Alabama, in which they ask the concurrence of the House of Representatives.

The bill from the Senate entitled an act to amend the charter of the bank of the State of Alabama, was read the first time. mr Herbert moved that the bill be indefinitely postponed, which was lost. Yeas 25. nays 38.

The yeas and nays being demanded those who voted in the affirmative are messrs Speaker Brodnax Chamberlain Coker Cook Devereux Hall Herbert Johnson Keener Mason Morrisette Musgrove Oliver Paul Perkins Porter Rather Reaves Ross Rugely Saunders Simmons Tarrant and Ward.

Those who voted in the negative are messrs Beck Brickell Carmack Carithers Creagh Davis Drish Earle Fleming Flournoy Fortson Goodrich Graham Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. King Lockhart Lusk McRea Massey Miree Moffett Norwood Ormond Richardson Scott Stewart Sumners Thompson Trotter Walker Weissinger Williams Wilson and Young.

And the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the committee on the State bank.

Mr Oliver made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles to wit: An act to repeal the several acts concerning roads, highways, bridges and ferries, in the county of Mobile; an act for the relief of William Moore; an act for classing causes in the circuit court of Mobile county; an act to annex a part of the county of Monroe to the county of Butler, and an act to establish an academy at Blountsville.

A message from the Senate by mr Connor; mr Speaker; The Senate have passed a bill of the following title; An act requiring the governor to detail a court martial for certain purposes, in which they ask the concurrence of the House of Representatives.

The bill from the Senate requiring the governor to detail a court martial for certain purposes therein specified, was read the first time, and the rule requiring bills be read on three several days being dispensed with, it was read the second time forthwith. Mr Herbert moved to refer the bill to the military committee, which was lost. Mr Musgrove moved its reference to the judiciary committee, which was carried.

Engrossed bills of the following titles, to wit: An act to incorporate the Montgomery Hall company, an act to organize the county of Barbour, and for other purposes; an act to authorise the judge of the county court of Franklin county, and commissioners of roads and revenue to designate the boundary and hands for each overseer; joint resolutions on the subject of a penitentiary system, were severally read the third time and passed. Ordered, that the titles be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Bills from the Senate of the following titles, to wit: An act to authorise the colonel commandment of the fifteenth regiment, and for other purposes; an act to provide for the translating and recording the British, French, and Spanish records of this State, were severally read the third time and passed. Ordered, that the titles be as aforesaid.

Mr Rather introduced a bill to be entitled an act to alter the mode of appointing assessors, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to the committee on ways and means.

The engrossed bill entitled an act to exempt fifty head of cattle from taxation and for other purposes, was read the third time, and the question be-in put, shall this bill pass? It was determined in the affirmative. Yeas 47; nays 17.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Breedin Brodnax Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Hall Herbert Houston of M. Johnson Keener Lockhart Lusk McRea Massey Miree Moffett Morrisette Musgrove Oliver Paul Perkins Porter Rather Reaves

Rhodes Ross Rugely Simmons Stewart Sumners Thompson Trotter Walker Ward Weissinger and Willaims.

Those who voted in the negative are messrs Beck Brickell Camp Carmack Graham Hubbard Hudson of F. Hudson of J. King Mason Norwood Ormond Richardson Saunders Scott Tarrant and Young.

Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles to wit: An act supplemental to an act entitled an act to authorise James Doran to emancipate certain slaves therein named, approved January 20, 1832; an act to revive in apart and amend an act to allow trustees of the State University to pay for their services, passed December 26, 1832; an act to amend an act to incorporate and empower religious societies of every denomination to hold real estate; an act for the relief of Matthew Fontaine Goode; an act to repeal in part an act therein mentioned.

The engrossed bill entitled an act to authorise Ward Taylor and associates to construct a turnpike road therein named, was read the third time. mr Creagh moved to amend the bill by way of the following engrossed ryder; "Provided the legislature may have a right to repeal this act whenever it may deem it right and proper," which was lost. mr Morrisette moved the following amendment; "Provided that the contractors or carriers of the mail shall not be bound to pay toll in passing said road," which was lost. "The bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to amend the laws in relation to sixteenth sections, was read the third time. Mr Flournoy moved to amend the bill by way of engrossed ryder by adding thereto an additional section, No. 6.; which was adopted. The bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for concurrence.

And then the House adjourned until to morrow morning, nine o'clock.

Saturday, January 5–A message from the Senate by mr Morton; mr Speaker; The Senate have passed a bill from the House of Representatives, entitled an act to authorise the election of certain officers therein named. They have passed a bill of the following title: An act to secure to femes covert their estates against the debts of their husbands contracted before marriage, and to the husband's their estates against the debts of the wife contracted before marriage, in which they respectfully ask the concurrence of the House of Representatives.

The bill from the Senate entitled an act to secure to femes covert their estates against the debts of their husband's contracted before marriage, and to the husband's their estates against the debts of the wife contracted before marriage being on its first reading. mr Hubbard moved that the bill be indefinitely postponed, which was carried.

Mr McRea presented the memorial of Anderson Berryman, of Franklin county, praying the passage of a law to authorise him to collect a reasonable compensation for his services as a root doctor, which was read and referred to a select committee; whereupon messrs McRea Hudson of F. and Hubbard were appointed said committee.

Mr Rhodes, from the committee on the State Bank, to whom was referred the bill from the Senate entitled an act to amend the charter of the Bank of the State of Alabama reported the same without amendment. Mr Hudson of F., moved to strike out the proviso to the bill. Mr Hubbard moved a call of the House, when the following members appeared and answered to their names, to wit: Messrs Speaker, Beck, Breedin, Brickell, Brodnax, Camp, Carmack, Carithers, Chamberlain, Coker, Cook, Creagh, Davis, Devereux, Drish, Earle, Flmeing, Flournoy, Fortson, Goodrich, Graham, Herbert, Hill Houston of L. Hubbard, Hudson, of F. King, Lee, Lockhart, Lusk, McRea, Massey, Moffett, Musgrove, Norwood, Oliver

Ormond, Paul, Perkins, Rather, Rhodes, Richardson, Ross, Rugely, Saunders, Scott, Simmons, Sumners, Tarrant, Thompson, Walker, Ward, Weissinger, Williams, Wilson, Witherspoon, and Young.

The further consideration of the bill was postponed for one hour.

Mr Cook, from the committee on propositions and grievances, to whom was referred the petition of sundry persons of Franklin county, praying certain relief of Samuel Martin, reported persons of Franklin county, praying the relief for Samuel Martin, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read a second time forthwith. Mr Goodrich moved to amend it by adding a proviso, which was adopted; and the rule being further dispensed with, it was considered as engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Flournoy presented the account of the sheriff of Pickens county, which was read and referred to the committee on accounts.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles' An act to authorize Daniel Mc Daniel and G.B. Mobley, to establish a ferry on the Tombeckbee river; an act to divorce Julius Sneed, from his wife Jane Eliza Sneed; and an act to organize the militia of Clarke county.

Mr Hudson of F. introduced a bill to be entitled an act to authorised the colonel commandant of the thirty-seventh regiment of Alabama militia to increase the number of beats in said regiment, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, the bill was read second time forthwith, and the rule being further dispensed, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The bill entitled an act to explain and amend the several acts in relation to the guarding of prisoners where the jails are insufficient, was read the second time, and ordered to be engrossed for a third reading.

Mr Williams introduced a bill to be entitled an act requiring the governor of the State of Alabama to reside at the seat of government, which was read and ordered to a second reading.

The bill to regulate the militia of the State of Alabama, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, it was considered as engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The House took into consideration the resolution from the Senate proposing to go into election of judges of the county courts. The resolution was amended by striking out the word "Thursday," with a view to insert "Tuesday," mr Hill moved to amend it by striking out these words "except the county of Talladega," which was carried. mr Tarrant moved to amend it by inserting the word "Shelby," which was carried. Mr Cook moved to amend it by inserting the word "Butler," which was carried. Mr Reaves moved to amend it by inserting the word "Pike," which was carried. The resolution as amended was then adopted. Ordered, that the clerk acquaint the Senate therewith.

Mr. Drish introduced a joint resolution to keep and preserve all the furniture of both Houses of the General Assembly, and for other purposes, which was read the first time, and the constitutional rule being dispensed with, it was read the second time forthwith. Mr Tarrant moved to amend

it by adding thereto an additional resolution, which was adopted, and the constitutional rule being further dispensed with, it was considered as engrossed, and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate fo their concurrence.

On motion of mr Morrisette: Resolved, That with the consent of the Senate both Houses will on Monday evening next at half past six o'clock, proceed to elect a president and twelve directors for the bank of the State of Alabama. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to divide the State into districts for electing representatives to Congress, was read the second time. mr Rather moved to amend the bill by striking out the first section, which was lost. Yeas 31; nays 35.

The yeas and nays being demanded, those who voted in the affirmative are Messrs Speaker Brodnax Carithers Coker Cook Devereux Drish Earle Herbert Houston of M. Hubbard Hudson of F. Keener Lee McRea Miree Musgrove Oliver Perkins Porter Rather Reaves Ross Rugely Saunders Simmons Stewart Thompson Trotter Ward and Wilson.

Those who voted in the negative are messrs Beck Breedin Brickell Camp Carmack Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Hill Hollis Houston of L. Hudson of J.. King Lockhart Lusk Massey Moffett Morrisette Norwood Ormond Paul Richardson Scott Sumners Tarrant Walker Weissinger Williams Witherspoon and Young,

Mr. Hudson of F. moved that the bill be indefinitely postponed, which was lost. Yeas 24; nays 41.

The yeas and nay being demanded, those who voted in the affirmative are, messrs Brodnax Coker Cook Devereux Herbert Houston of M. Hubbard Hudson of J. Keener Lee McRea Miree Musgrove Oliver Perkins Porter Rather Ross Rugely Saunders Simmons Stewart Ward and Wilson.

Those who voted in the negative are messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Fleming Flournoy Fortson Goodrich Graham Hill Hollis Houston of L. Hudson of J. King Lockhart Lusk Massey Moffett Morrisette Norwood Ormond Paul Richardson Scott Sumners Tarrant Thompson Trotter Walker Weissinger Williams Witherspoon and Young.

Ms. Paul moved to strike from the third section of the bill the word "Perry."

The hour having expired at mr Hubbard's call of the House; the absentees were excused for non-attendance.

The House resumed the consideration of the bill from the Senate entitled an act to amend the charter of the bank of the State of Alabama. Mr Paul moved to amend the bill by striking therefrom the words "Dallas county," which was carried. mr Keener moved to amend the bill by striking out the counties of "Pike and Barbour," which was carried. Mr Brodnax moved to amend it by striking out the county of "Autauga," which was carried. mr Ward moved to amend it by striking out the county of "Henry," which was carried. Mr Hudson of F. moved to amend it by striking out all the counties except "Montgomery and Lowndes," which was carried. Yeas 40; nays 25.

The yeas and nays being demanded, those who voted in the affirmative, are Messrs Speaker, Breedin Brodnax Carmack Carithers Chamberlain Coker Cook Creagh Devereux Drish Graham Hall Herbert Houston of L. Houston of M. Hudson of F. Johnson Keener Lee Lockhart Miree Morrisette Musgrove Oliver Ormond Paul Porter Reaves Rhodes Ross Rugely Saunders Simmons Thompson Ward Williams Wilson and Young.

Those who voted in the negative are Messrs Beck Brickell Camp Davis Earle Fleming Flournoy Fortson Goodrich Hill Hollis Hudson of J. King Lusk M'Afee Massey Moffett Norwood Scott Stewart Sumners Tarrant Walker Weissinger and Wither-

spoon.

Mr Brodnax moved to strike out the word “except,” and all after, which was carried. mr Hubbard moved to strike out the proviso, which was carried, and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate fo their concurrence.

The House resumed the consideration of the bill from the Senate entitled

an act to divide the State into districts for electing representatives to Congress. The question was on mr Paul's motion to strike out "Perry county" from the third section, and lost. Yeas 28; nays 41.

The yeas and nays being demanded, those who voted in the affirmative are messrs Brodnax Coker Cook Devereux Drish Earle Herbert Hollis Houston of M. Hubbard Hudson of F. Keener Lee Miree Oliver Paul Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Thompson Trotter Ward and Wilson.

Those who voted in the negative are Messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Fleming Flournoy Fortson Graham Hall Hill Houston of L. Hudson of J. Johnson King Lockhart Lusk McAfee Massey Moffett Morrisette Musgrove Norwood Ormond Perkins Richardson Scott Stewart Sumners Tarrant Walker Weissinger Williams Witherspoon Young.

Mr Earle moved to amend it by striking "Talladega" from the third section of the bill.

Mr Hill moved the previous question, which was sustained. The main question was then put, viz: Shall this bill be read the third time? and passed in the affirmative. Yeas 36 nays 33.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Hudson of J. King Lockhart Lusk McAfee Massey Moffett Morrisette Norwood Ormond Richardson Scott Sumners Tarrant Walker Weissinger Witherspoon and Young.

Those who voted in the negative are messrs Brodnax Coker Cook Devereux Drish Earle Herbert Hollis Houston of M. Hubbard Hudson of F. Johnson Keener Lee Miree Musgrove Oliver Paul Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Stewart Thompson Trotter Ward Williams and Wilson.

A message was received from the governor by James I. Thornton: mr Speaker: The governor did on the third instant, approve and sign the following bills; An act more particularly to define the duties of the secretary of State, in relation to the arrangement and printing of each session of the general assembly; an act declaratory of the charter of incorporation of the town of Claiborne in the county of Monroe; an act to locate permanently the seat of justice of Covington county, and for other purposes; all of which originated in the House of Representatives.

The House then adjourned until three o'clock this afternoon.

Evening Session, three o'clock.—Mr Hall called up the engrossed bill entitled an act to appropriate a certain fund therein named. The bill was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent o the Senate for their concurrence.

Mr Camp who voted in the majority on postponing until Wednesday next, the bill from the Senate entitled an act to establish a State road from the town of Tuscaloosa, to the Mississippi State line, by way of the towns of Carrollton and Pickensville in Pickens county, moved to reconsider the vote, which was carried, yeas 27, nays 25.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Breedin Brickell, Camp Chamberlain Earle Fleming Flournoy Goodrich Graham Hudson of J. Lockhart Lusk McAfee Massey Norwood Ormond Paul Perkins Porter Rhodes Richardson Stewart Thompson Weissinger Williams Wilson and Young.

Those who voted in the negative are messrs Speaker Beck Carmack Carithers Coker Drish Fortson Herbert Houston of M. Hudson of F. Johnson Keener Lee Miree Moffett Morrisette Musgrove Rather Reaves Rugely Saunders Simmons Walker and Ward.

Mr Hudson of F. moved to call of the House, when the following members appeared and answered to their names, to-wit: messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Coker Cook Davis

Drish Earle Fleming Flournoy Fortson Goodrich Graham Hall Herbert Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart Lusk McAfee Massey Miree Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Rugely Saunders Simmons Stewart Thompson Walker Ward Weissinger Williams Wilson and Young.

The further consideration of the bill was postponed for one hour.

A message was received from the Senate by mr Morton: mr Speaker: The Senate have passed a bill entitled an act supplementary to an act for the relief of the fire engine company. No. 2. of the city of Mobile, approved January 15th, 1831; in which they ask the concurrence of the House of Representatives.

The bill entitled an act amendatory to an act for the relief of the fire engine company, No. 2, in the city of Mobile, approved January 15th, 1831, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and referred to a select committee; whereupon messrs Chamberlain, Breedin and Hall were appointed.

Mr Miree made the following report: The committee on enrolled bills have examined and find correctly enrolled, an act to authorise the electing of certain officers therein named, which originated in the House of Representatives.

The bill entitled an act requiring security for costs in certain cases, was read the second time and referred to the judiciary committee.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled, an act to prevent frauds in the sale of oil, and for other purposes. Bills from the Senate of the following titles, to wit: An act to review and alter the State road leading from E. Burrows' in Dallas county, to Montevallo in Shelby county; an act to authorise Samuel Bowden of Shelby county, to manumit and set free certain slaves therein named; were severally read the third time and passed. Ordered, that the titles be as aforesaid Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to provide for the summoning of a jury to attend the county court of the county of Lauderdale, was read the third time. Mr Breedin moved to amend the bill by way of proviso as an engrossed ryder, which was adopted; the bill passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

A message was received from the Senate by mr Morton; mr Speaker: The Senate have passed bills originated in the House of Representatives, of the following titles, to wit: An act to change the time of holding the county courts in Morgan and Tuscaloosa counties; an act to provide for the election of officers for the county of Pike, both of which they have amended as therein shewn, in which they ask the concurrence of the House of Representatives. Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act to change the time of holding the county courts of Morgan and Tuscaloosa counties. Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act to provide for the election of officers for the county of Pike.

The engrossed bill entitled an act for the better regulation of patrols, was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to enable Amos Robinson to emancipate a certain slave therein named, was read the third time. Mr Drish moved to amend the bill by way of engrossed ryder, with the following; "Nancy Bowman be authorised to emancipate and set free Morris Bowman, the property of said Nancy Bowman, under the provisions of this act." mr Porter moved the following amendment to mr Drish's ryder:

and George W. Cook, a slave, named George, upon the same conditions as are prescribed by this act," which was adopted. The amendments as amended was then adopted. mr Herbert moved that the bill be indefinitely postponed, which was lost: and the question being put, shall this bill pass? it was determined in the affirmative: yeas 36, nays 23.

The yeas and nays being demanded, those who voted in the affirmative are messrs Beck Breedin Camp Carmack Chamberlain Coker Davis Drish Earle Fleming Flournoy Graham Hall Houston of L. Houston of M. Johnson Keener King McAfee Massey Morrisette Musgrove Norwood Ormond Paul Perkins Porter Rather Reaves Rugely Trotter Walker Weissinger Williams Wilson and Young.

Those who voted in the negative are messrs Brickell Carithers Cook Creagh Goodrich Herbert Hudson of F. Hudson of J. Lee Lockhart Lusk Miree Moffett Oliver Richardson Ross Saunders Sumners Tarrant Thompson Ward and Witherspoon.

Mr Porter moved to amend the title of the bill inserting "and others," which was adopted. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act for the relief of purchasers of sixteenth sections, was read the third time. Mr Wilson moved to amend the bill by way of engrossed ryder, with the following words: "or their executors or administrators," which was adopted; the bill passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The hour having expired at mr Hudson's call of the House, the absentees were excused for non attendance.

Mr Flournoy then moved that the bill from the Senate entitled an act to establish a State road form the town of Tuscaloosa to the Mississippi State line, by way of the towns of Carrollton and Pickensville in Pickens county, be made the special order of the day for its third reading on Monday next at 11 o'clock, A.M. which was carried.

Mr Creagh made the following report: The committee of conference appointed by this House, to act with such committee as might be appointed on the part of the Senate to adjust the difference between the two Houses in relation to the amendment made by the Senate to a bill originating in this House, entitled an act to regulate the rate of interest, passed December 17th, 1819, have discharged that duty, and have instructed me to recommend the adoption of said amendment: in which report the House concurred. Ordered, that the clerk acquaint the Senate therewith.

And then House adjourned until Monday morning next, at nine o-clock.

Monday , January 7th, 1833—A message was received from the Senate by mr Morton; mr Speaker: The Senate have passed bills which originated in the House of Representatives, of the following titles' to-wit An act to provide for the appointment of commissioners without the State, to take testimony, &c.; an act for the benefit of Cornelius Cox of Bibb county; an act to incorporate the light horse in the county of Autauga; an act to authorise a lottery for the benefit of building an academy at or near Statesville in the county of Autauga. an act to incorporate the Washington and Lafayette academy; an act to incorporate the Montgomery Hall company; an act to authorise the judge of the county court of Franklin county, and commissioners of roads and revenue, to designate the boundary and hands to each overseer; an act to establish a road from the ferry at Montgomery by way of Kingston in the county of Autauga, to Samuel Bogle's in Bibb county; the last of which they have amended as therein set forth: in which they ask the concurrence of the House of Representatives. Or-

dered, that the House concur in the amendment made by the Senate to the bill entitles an act to establish a road from the ferry at Montgomery by

way of Kingston, in the county of Autauga, to Samuel Bogle's in Bibb county.

Ordered, that mr Trotter have leave of absence for the remainder of the session.

Mr Johnson presented the account of the late sheriff of Blount county, which was read and referred to the committee on accounts.

Mr Rather from the committee on privileges and elections, to which was referred the several petitions and resolutions on the subject of discontinuance and establishing certain election precincts therein specified, reported a bill entitled an act to discontinue and establish certain election precincts therein specified, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith. Mr Beck moved the following amendment: "one at the house of Richard Lancaster, in the county of Wilcox. mr Miree moved the following amendment: "an additional precinct at the house of John A. Summers, and one at the house of Alexander Walker, in Perry county, which was adopted. Mr Porter moved the following amendment: "strike out at the house of John Hambrick, in the county of Monroe," which was adopted. Mr Massey moved the following amendment: "one at the house of Francis Adams in St. Clair county," which was adopted. Mr Lockhart moved to amend the bill as follows: "strike out the store house of Jenning's and Inge, in the county of Marengo," and insert "Prairieville," which was adopted. Mr Wars moved the following amendment: "one at the house of Thomas Woodward, in the county of Macon, and one at the house of Hardeman Owens, in the county of Russell, which was adopted; the bill was then ordered to be engrossed for a third reading.

Mr Hubbard from the committee on lands appropriated for internal improvements, to whom was referred the bill entitled an act to authorise the register of the land office at Courtland, to suffer any person to enter any legal subdivision of the unappropriated four hundred thousand acres of donated lands made for internal improvements, that is now by law authorised to be entered, reported a substitute in lieu thereof, which was adopted; the bill was ordered to be engrossed for a third reading.

Mr Chamberlain from the select committee to whom was referred the bill from the Senate entitled an act amendatory to an act for the relief of the fire engine company, No. 2, of the city of Mobile, approve January 15th, 1831, reported the following amendment: "stirke out the word "Provided," and all thereafter in the 6th line of the second section, which was adopted, and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Keener made the following report: The select committee to whom was referred the bill for the relief of O.J. Williams, have had the same under consideration, and beg leave to report, that in the opinion of the committee the bill does not allow enough for the patriotic exertions of the said O.J. Williams, in apprehending a daring and lawless criminal, and bringing him to condign punishment, it certainly cannot conduce to the well being of society that an individual who exerts himself in furtherance of the law, should not be allowed his actual expenses, or something nearly thereto. The committee, therefore, instruct me to report the following amendments; "strike out the sum of three hundred and fifty five dollars

and forty cents," and insert in lieu thereof, the sum of "five hundred and sixty seven dollars and forty five and three fourth cents." The question was to concur in the report of the committee, and lost. the bill was ordered to lie on the table.

Mr Wilson from the select committee to whom was referred the late message of his Excellency, communicating to this House, the late ordinance of South Carolina, with the accompanying address and the proclamation of the president of the United States, reported recommendations of the general assembly of the State of Alabama, to the president and congress of the United States, and to the different States, which was read the first time and the rule requiring bills and joint resolutions to be read on three several days being further dispensed with, it was read the second time forthwith, and the rule being further dispensed with, they were considered as engrossed and read the third time forthwith, and the question being put, shall the resolutions pass? It was determined in the affirmative unanimously: yeas 62.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Breedin Brickell Brodnax Camp Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Hall Herbert Hill Hollis Houston of m. Hubbard Hudson of F. Johnson Keener King Lee Lockhart Lusk Massey Miree Moffett Morrisette Musgrove Oliver Ormond Paul Porter Rather Reaves Rhodes Richardson Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams Wilson Withespoon and Young.

Mr Rather, from the committee of conference appointed on the part of the House of Representatives, have met the committee appointed on the part of the Senate on the subject of the disagreement of the two Houses of the bill of the House of Representatives, to provide for taking the census in the year 1833, reported the following amendment: "Sec. 5. fourth line, strike out "three" and insert "two;" fifth line, same section, strike out "two dollars" and insert one dollar and twenty-five cents," and by adding thereto an additional section, No. 11., which was adopted.

The bill from the Senate entitled an act to establish a State road from the town of Tuscaloosa to the Mississippi State line, by way of the towns of Carrollton and Pickensville in Pickens county, was read the third time. mr Lockhart moved to amend the bill by way of engrossed ryder, by adding thereto an additional sections, which was adopted. The bill was put on its passage, and the question was, shall the bill pass? and determined in the affirmative. Yeas 35; nays 27.

The yeas and nays being demanded, those who voted in the affirmative are messrs Breedin Brickell Camp Chamberlain Devereux Earle Fleming Flournoy Graham Hall Hill Hubbard King Lee Lockhart Lusk Massey Miree Norwood Ormond Perkins Rather Rhodes Richardson Rugely Scott Stewart Sumners Tarrant Thompson Ware Weissinger Williams Wilson and Young.

Those who voted in the negative are messrs Speaker Beck Carmack Carithers Coker Creagh Davis Drish Fortson Goodrich Herbert Hollis Houston of M. Hudson of F. Keener Moffett Morrisette Musgrove Oliver Porter Reaves Saunders Simmons Walker Ward and Witherspoon.

Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to divide the State into districts for electing representatives to Congress being under consideration, mr Herbert moved to postpone the further consideration of the bill until Monday next. Mr Morrisette moved to call of the House, when the following members appeared and answered to their names, viz: Messrs Speaker, Beck, Breedin Brickell Brodnax, Camp, Carmack, Carithers, Chamberlain, Coker, Cook, Creagh, Davis, Devereux, Drish, Earle, Fleming, Flournoy,

Fortson, Goodrich, Graham, Hall, Herbert, Hill, Hollis, Houston of L. Houston of M. Hubbard, Hudson of F. Johnson, King, Lee, Lockhart, Lusk, Massey, Miree, Moffett, Morrisette, Ormond, Oliver, Norwood, Perkins, Porter, Rather, Reaves, Rhodes, Richardson, Rugely, Saudners

Scott, Simmons, Stewart, Sumners, Tarrant, Thompson, Walker, Ward Ware, Weissinger, Williams, Witherspoon and Young.

The further consideration of the bill was postponed for one hour.

Engrossed bill entitled an act to explain and amend the several acts in relation to guarding of prisoners, where the jails are insufficient, was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The engrossed bill entitled an act to establish a certain county therein named, being on its third reading; mr Brickell moved that it lie on the table, which was lost. Mr Keener moved that the further consideration of the bill be postponed until to-morrow, which was agreed to.

The bill from the Senate entitled an act to authorize the Tennessee canal commissioners to alter the plan of improvements on that river, and to direct the receiver at the land office at Courtland where to make his deposits. The question was to concur in the amendments made to said bill, and carried. Mr Hudson of F. moved to strike out the 4th section of the bill, which was lost: yeas 20, nays 39.

The yeas and nays being demanded, those who voted in the affirmative are messrs Brodnax Coker Cook Devereux Fortson Herbert Hollis Hubbard Hudson of F. Lee Miree Oliver Perkins Reaves Rhodes Rugely Simmons Ward Ware and Weissinger.

Those who voted in the negative are messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Davis Drish Earle Fleming Flournoy Goodrich Graham Hall Hill Houston of L. Houston of M. Johnson Keener King Lockhart Lusk Massey Moffett Morrisette Musgrove Norwood Ormond Paul Porter Richardson Rather Saunders Scott Simmons Tarrant Thompson Walker Wilson Witherspoon and Young.

Mr Ormond offered the following amendment: “and shall there not be allowed to pledge my debts but such as will fall due in May, 1835, which was adopted. Mr Hubbard moved to amend the bill by way of proviso, which was adopted.

A message was received from the Senate by mr Connor, mr Speaker; The Senate have passed a bill to be entitled an act for the relied of Benjamin Hudson, and William Asabrooks, of Franklin county, also, an act the better to secure funds of the University of Alabama, in which they ask the concurrence of you honorable body.

And then the House adjourned until this evening three o’clock.

Evening Session, three o’clock.–The absentees were excused on mr Morrisette’s call of the House.

The bill from the Senate entitled an act to divide the State into districts for electing representatives to congress, being on its third reading: the question recurred on mr Herbert’s motion to postpone the further consideration of the bill until Monday next, and lost: yeas 23, nays 39.

The yeas and nays being demanded, those who voted in the affirmative are messrs Brodnax Coker Cook Earle Houston of M. Hubbard Hudson of F. Johnson Keener Lee Miree Paul Perkins Porter Rather Rhodes Ross Rugely Saunders Thompson Ward Ware and Wilson.

Those who voted in the negative are messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Devereux Fleming Flournoy Fortson Goodrich Graham Hill Houston of L. Hudson of J. Lockhart Lusk McAfee Massey Moffett Morrisette Musgrove Norwood Ormond Reaves Richardson Scott Stewart Sumners Tarrant Walker Weissinger Williams Witherspoon and Young.

Mr Hubbard moved that the further consideration of the bill be postponed until Friday next, which was lost: yeas 28, nays 37.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Speaker Brodnax Coker Cook Devereux Earle Houston of M. Hubbard Hudson of F. Johnson Keener Lee Miree Musgrove Oliver Paul Perkins Rather Reaves Rhodes Ross Rugely Saunders Sim-

mons Thompson Ward and Wilson.

Those who voted in the negative are messrs Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Hill Houston of L. Hudson of J. King Lockhart Lusk McAfee Massey Moffett Morrisette Norwood Ormond Porter Richardson Scott Stewart Sumners Tarrant Walker Weissinger Williams Witherspoon and Young.

Mr Norwood moved the previous question, and the question was shall

the call be sustained? The bill was read the third time; the main question was then put: viz. Shall this bill pass? and determined in the affirmative: yeas 38, nays 29.

The yeas and nays being demanded, those who voted in the affirmative are messrs Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Fleming Flournoy Fortson Goodrich Graham Hall Hill Houston of L. Hudson of J. King Lockhart Lusk McAfee Massey Moffett Morrisette Musgrove Norwood Ormond Richardson Scott Stewart Sumners Tarrant Walker Weissinger Williams Witherspoon and Young.

Those who voted in the negative are, messrs Brodnax Coker Cook Devereux Earle Hollis Houston of M. Hubbard Hudson of F. Johnson Keener Lee Miree Oliver Paul Perkins Porter Rather Reaves Rhodes Ross Rugely Saunders Simmons Thompson Ward Ware and Wilson.

The bill passed, Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act for the relied of Benjamin Hudson and William Alsbrooks, of Franklin county, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and referred to the committee on propositions and grievances.

The bill from the Senate entitled an act the better to secure the funds of the University of Alabama, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and ordered to a third reading.

Mr Speaker laid before the House the record and proceedings of the circuit court of Walker county, exercising jurisdiction in chancery in the case of Winifred K. Waldross, against Preston Waldross, for divorce, which was read and referred to the committee on divorce and alimony.

The bill from the Senate entitled an act to authorize the Tennessee canal commissioners to alter the plan of improvement on that river, and to direct the receiver of the land office at Courtland, where to make his depositesites, being on its second reading. Mr Weissinger moved to strike out the third section. Mr Hudson of F. moved to refer the bill to a select committee, which was lost. The question recurred on mr Weissinger's motion and carried. Yeas 34, nays 28.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Beck Breedin Brodnax Carithers Chamberlain Creagh Davis Devereux Drish Earle Fortson Hall Herbert Hill Hollis Keener Lee Massey Miree Moffett Morrisette Oliver Paul Perkins Porter Reaves Ross Rugely Simmons Saunders Walker Ward Ware Weissinger Williams and Wilson.

Those who voted in the negative are messrs Brickell Camp Carmack Fleming Flournoy Goodrich Graham Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson King Lockhart Lusk Musgrove Norwood Ormond Rather Rhodes Richardson Saunders Scott Stewart Tarrant Thompson and Young.

Mr Rhodes moved to amend the bill by adding thereto an additional section, which was adopted; and the rule requiring bills to be read on three several days being dispensed with, ti was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Flournoy presented the account of the sheriff of Pickens county, which was read and referred to the committee on accounts.

Mr Carrithers made the following report: The committee on enrolled bills have examined and find correctly enrolled "An act to change the time of holding the county courts of Morgan and Tuscaloosa counties.

A message was received from the governor by James I. Thornton:

EXECUTIVE DEPARTMENT, January 7, 1833.

In compliance with a resolution of the House of Representatives requesting to be furnished with any information in my possession in relation to the Marshal moving any portion of our citizens from the territory east of the Coosa river, I have to state that the accompanying letter from J. Austil, esquire, acting as deputy marshal, contains all the intelligence I have received in relation to instructions which have been issued to him for the removal of settlers from the Indian lands.

I apprehend that it has at no time been in the contemplation of the President to cause the removal of any settler from the Indian territory, except those who had trespassed upon the individual possessions of the Indians, and had taken possession of reservations secured to them by

the late treaty; learning that the resolution was founded on information obtained from some of the Senators, that all white persons had been ordered to removed from the Creek lands, I lost no time in addressing a letter to the honorable William R. King, requesting his interference in behalf of this portion of our citizens, and to obtain a revocation of the order, if any such had been made. He together with Messrs Clay and Mardis, with their characteristic readiness to serve their constituents, immediately interested themselves, and obtained assurances that no one would be interrupted in his settlement, if the private claims of the Indians should be respected.

I wrote to Mr Austil, also, to be informed of the precise extent of his orders to Marshal, but have received from him no reply, owing I presume, to his having left Montgomery before the arrival of the mail which bore my letter. A copy of my letter to Mr Austil and Col. King, and of the answer of the letter are herewith communicated.

[Signed] JOHN GAYLE

Ordered, that said comunication, with the accompanying documents lie on the table.

And then the House adjourned until to-morrow morning nine o'clock.

Tuesday, January 8–A message was received from the Senate by mr Morton; mr Speaker: The Senate concur in the amendments made by the House of Representatives to bills of the following titles which originated with the Senate; An act to review and alter the State road leading from E. Burrow's in Dallas county, to Montevallo in Shelby county, an act to provide for the summoning a jury to attend the county courts of the county of Lauderdale; and an act to simplify sciri facias in criminal cases, and for other purposes. They disagree to the amendments made by the House to a bill entitled an act to authorise Samuel Bowden, of Shelby county, to manumit and set free certain slaves therein named. They have passed bills of the following titles, which originated in the House of Representatives, An act o require jurors to be drawn in certain cases, an act to prevent attorneys receiving tax fees in certain cases; an act to provide for the maintenance and education of certain persons therein amend; an act for the relief of Samuel G. Cloud, an act to adopt print, bind, and distribute the new digest compiled by John G. Aiken, Esq. and for other purposes, an act to organize the county of Barbour, and for other purposes; in which they ask the concurrence of the House of Representatives.

Mr Herbert moved that the House adhere to their amendments to the bill entitled an act to authorise Samuel Bowden of Shelby county to manumit and set free certain slaves therein named, which was carried. Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act to require jurors to be drawn in certain cases.

A message was received from the Senate by mr Connor, their secretary; mr Speaker: The Senate have rejected bills from the House of Representatives of the following titles, to wit: An act to regulate appeals taken from a justice of the peace to the circuit or county courts; an act to authorise the colonel commandant of the thirty-seventh regiment of Alabama militia to increase the number of beats in said regiment; an act making appropriations from the three per cent. fund for certain improvements therein named. They concur in the amendments of the House of Representatives to the resolution of the Senate proposing to go into the election of judges of the county courts of the several new counties on Tuesday, the eighth instant, at three o'clock, p.m. They concur in the amendment of the House by striking out "except Talladega," and adding the counties of "Shelby, Pike and Butler." The Senate concur in the resolution of the House of Representatives, proposing to go into the election of a president and twelve directors of the bank of the State of Alabama, on Monday next, at half past six o'clock, and have amended the same by striking out "Monday at half

past six o’clock,” and inserting in lieu thereof “on Tuesday the eighth instant, at three o’clock, p.m.” in which they ask the concurrence of the House of Representatives. mr Herbert moved to amend the resolution by striking out the word “three” to insert the word “two,” so that it will

read two o'clock to go into the election of president and directors of the bank of the State of Alabama, which was adopted. Ordered, that the clerk acquaint the Senate therewith.

The bill entitled an act to prevent attorneys recovering fees in certain cases. Mr Lee moved that bill lie on the table, which was carried.

Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act providing for the maintenance and education of certain persons therein named.

Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act for the relief of Samuel G. Cloud.

The engrossed bill entitled an act to adopt, print, bind and distribute the new digest complied by John G. Aikin, esquire, and for other purposes, The amendments of the Senate made to said bill was referred to a select committee ' whereupon messrs Creagh, Herbert, Morrisette and Paul, were appointed said committee.

Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act to organize the county of Barbour.

Mr Creagh made the following report : The select committee to whom was referred a bill entitled an act to adopt, print, bind and distribute the new digest compiled by John G. Aikin, esquire, and for other purposes, with sundry amendments, made by the Senate, have had said bill and amendments under consideration, and recommend to this House to adopt the amendments made by the Senate; in which amendments the House concurred.

Mr Cook, from the committee on propositions and grievances, to whom was referred the bill from the Senate entitled an act for the relief of Benjamin Hudson and William Alsobrooks of Franklin county, reported the same without amendment, and recommend its passage. Mr Brickell moved to strike out the word "without" to insert the word "with," which was lost; and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Moffett presented sundry accounts.

Mr. Creagh presented the account of the deputy sheriff of Clarke county; they were severally read and referred to the committee on accounts.

Mr Moffett, from the committee on accounts, to whom was referred the account of Robert Hobdy, for expenses incurred and services rendered in the apprehension and delivery of Littleton Prince, charged with slave stealling reported a bill to be entitled an act for the relief of Robert Hobdy, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and the rule being further dispensed with, it was considered as engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Creagh made the following report: The committee on ways and means to whom was referred the bill entitled an act relinquishing to the city of Mobile certain duties on sales at auction to be applied to certain purposes, have had the same under consideration, and have instructed me to report, that although the class of men intended to be benefitted by said bill are, in the opinion of the committee deserving the charitable consideration of the legislature, and although they believe an appropriation should be made for that purpose, yet they do not approve of the provisions of the

present bill, and they consider it too late in the session to prepare and pass one in conformity to their views. They therefore recommend said bill to be laid on the table, and ask leave to be discharged from its further consideration, which was granted.

A message from the Senate by mr Morton; mr Speaker: The Senate concur in the amendment made by the House of Representatives, to the amendments made by the Senate to the resolution from the House of Representatives, proposing to go into the election of a president and directors of the bank of the State of Alabama on Monday next.

Mr Flournoy, from the committee on divorce and alimony, to whom was referred the record and proceedings of the circuit court of Walker county, exercising chancery jurisdiction in the case in that court wherein W.K. Waldross sued to be divorces from her husband Preston Waldross, reported that said divorce ought not to be granted. mr Williams moved that the report lie on the table, which was carried.

Mr Fleming, from the military committee to whom was referred the bill from the Senate entitled an act to amend the militia law under the head of courts martial, reported the same without amendment. The bill was ordered to a third reading.

Mr Creagh, from the select committee to whom was referred the bill entitled an act to alter and establish the judicial circuits of the State, reported a substitute in lieu thereof, which was adopted; and the rule requiring bills to be read on three several days being dispensed with, it was considered as engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Tarrant called up the engrossed bill entitled an act to provide for the improvement of a part of the Coosa river, it was read the third time. Mr Herbert moved that the further consideration of the bill be postponed until Monday next, which was lost. Yeas 19; nays 38.

The yeas and nays being demanded, those who voted in the affirmative are Messrs Camp Davis Drish Fortson Graham Herbert Hollis Keener Lockhart Lusk Moffett Paul Reaves Saunders Stewart Thompson Walker Ward and Wilson.

Those who voted in the negative are messrs Speaker Beck Breedin Brodnax Carmack Carithers Chamberlain Cook Creagh Devereuc Earle Flournoy Hall Hill Houston of L. Houston of M. Hudson of F. Hudson of J. King Lee McAfee Massey Miree Morrisette Musgrove Norwood Oliver Ormond Porter Rather Ross Rugely Simmons Tarrant Ware Weissinger Williams and Young.

Mr Brodnax moved the previous question, which was sustained. The main question was then put, Shall this bill pass? and determined in the negative. Yeas 30, nays 31.

The yeas and nay being demanded, those who voted in the affirmative are, messrs Speaker Beck Breedin Brodnax Carmack Carithers Chamberlain Earle Fleming Flournoy Hall Hill Houston of M. King McAfee Massey Morrisette Musgrove Oliver Ormond Paul Rather Ross Rugely Simmons Sumners Tarrant Ware Weissinger and Young.

Those who voted in the negative are messrs Camp Cook Creagh Davis Devereux Drish Fortson Graham Herbert Hollis Houston of L. Hubbard Hudson of F. Hudson of J. Keener Lee Lockhart Lusk Miree Moffett Norwood Reaves Richardson Saunders Scott Stewart Thompson Walker Ward Williams and Wilson.

A message was received from the Governor by James I. Thornton, which is as follows: mr Speaker; The Governor did on the fifth instant, approve and sign the following bills, viz: An act to annex a part of the county of Monroe to the county of Butler, an act for the relief of William Moore; an act to incorporate the town of Claysville in Jackson county; an

act to repeal the several acts concerning roads, highways, bridges and ferries in the county of Mobile, an act to classify causes in the circuit court of Mobile county, an act for the relief of George Riggs, an act declaring Crow creek in Jackson, a public highway; an act authorising the citizens of Sommerville to elect a constable; an act to establish an acade-

my at Blountsville, and an act for the relief of John Jackson, tax collector of Marengo county, for the year 1832, all of which originated in the House of Representatives, And also the following.

EXECUTIVE DEPARTMENT, Tuscaloosa, January 8, 1833.

I transmit to the General Assembly copies of a resolution adopted by the State of Tennessee relative to the public lands of the United States; and of a preamble and resolution of the State of Louisiana in relation to the construction of a rail road from New Orleans to the city of Washington. These resolutions have been forwarded to this department for the purpose of submitting them to the legislature of this State.

(Signed) JOHN GAYLE

Ordered, that said communication, with the accompanying documents be referred to a select committee; whereupon messrs Herbert, Creagh, Paul, Beck, and Camp, were appointed said committee.

Mr Weissinger called up the bill from the Senate entitled an act for the improvement of the Cahawba river from the town of Centreville to its junction with the Alabama river, which was read the third time. Mr Ormond in the chair. Upon a question of order, mr Herbert moved that the report of the committee on inland navigation made the twentieth of December last past be read, which mr Chairman decided to be in order; from which decision mr Flournoy appealed. The decision of the chair was sustained. The House then adjourned until two o'clock this evening.

Evening Session, two o'clock.–Mr Cook made the following report:

The joint committee appointed by both Houses of the General Assembly to examine the affairs and conditions of the Bank of the State of Alabama, have performed the arduous duties assigned them, and beg leave to report. That at an early period of the Session, they invited all the members from the respective counties to meet them at the Bank, for the purpose of ascertaining the solvency of the debtors to the same; the result of this examination will be seen by reference to statement herewith marked A.; by an examination of which, compared with last year's report, it will be seen that there is an increase of bad and doubtful debts, this may have arisen from the fact that bills of exchange have not heretofore been examined by the members of the legislature. Upon an examination of the books of the Bank, your committee have ascertained that not a single insolvency has ever been charged to the profit and loss account; the statement therefore included all the bad and doubtful debts made by the Bank since it went into operation. Your committee would recommend to the members of the legislature and others, recommending paper for discount or sale, to be very cautious in exercising this delicate trust, for it is upon this kind of evidence that the directors here are compelled to act; and no paper should be recommeded, unless it was undoubted. Your committee cause an exhibit of the state of the Bank to be made up to the 18th December, and took charge of the case and vault on that day, and find exhibit marked B. to be correct, by which it will be seen that the Bank is liable for the amount of notes in circulation in the sum of $613,014 ; for amount to credit of individual depositors, which sum includes the deposits from the treasury and agent of the University, $250, 702 78, and amount due to Banks $9,575 54: making in all the sum of $876, 292 32. To meet this sum the Bank has in cash and due from other Banks $ 320, 607 14. Bills of exchange maturing daily, $ 650, 512 74, and notes discounted, all due fourth of January, $1, 012, 190 90, making together the sum of $ 1,983, 310 88 exceeding the amount for which the Bank is liable to immediate call, in the sum of $1,107, 018 56. Thus presenting a very flattering result, surpassing the

expectations of its most sanguine friends. By an examination of the books of the Bank, you committee perceived that a material change in the condition of the institution was daily taking place; they therefore requested the cashier to make an exhibit on the fifth instant, which is herewith submitted marked C; by reference to this paper, it will be seen that in the space of eighteen days, the Bank has purchased $864,036 88 in bills of exchange, and that in the same period, notes discounted have been paid off to the amount of $681, 576. Your committee has carefully counted all the blank paper on hand, and find there is now in Bank 1288 single impressions, of post notes: 17, 942 of 1, 1, 2, 3: 11, 006 impressions of fives; 7,704 of tens and twenty; 202 of fifty and hundreds.

Your committee avail themselves of the present occasion, to bear testimony to their ability with which the president, cashier, and officers discharge their respective duties, and would suggest that the salaries of those officers are disproportionate to the great labor and responsibility that rest upon them, and recommend an increase to their pay, especially the president cashier and book-keeper. All of which is respectfully submitted.

R CHAPMAN
JNO B. HOGAN
J.W. BRIDGES
Committee on the part of the Senate
NATHAN COOK
Wm. FLEMING
B.B. BREEDIN
Committee on the part of the House of Representatives.

[A]. Statement showing the amount of bad and doubtful debts due. To the Bank.

| | Bad | Doubtful | | Bad | Doubtful |
|---|---|---|---|---|---|
| Bibb county, | | 340 | Limestone county, | 1600 | 2298 |
| Clarke " | | 1712 | Marengo " | | 380 |
| Dallas " | | 500 | Madison " | | 2830 |
| Franklin " | 1200 | | Pike " | | 477 |
| Greene " | 730 | | Shelby " | 400 | |
| Jackson " | 6265 | | St. Clair " | 270 | 1380 |
| Jefferson " | 1140 | | Washington " | | 211 |
| Lauderdale " | | 2660 | Wilcox " | | 375 |
| Lawrence " | 2240 | | Conecuh " | 180 | 900 |

[B.] An exhibit of the condition of the Bank of the State of Alabama on the 18th of December, 1832; also showing the result of its operations since the 10th day of January last, (1832.)

| | | | |
|---|---|---|---|
| To capital stock | 771,539 1 ½ | By notes discounted all due first January | 1,012,190 96 |
| Notes of the Bank in circulation | 613,014,00 | Bills exchange purchased | 650,512 74 |
| Individual depositors | 253,702 78 | Banking house and lot as Tuscaloosa | 9,700 08 |
| Internal improvement fund | 232, 387 39 | Banking house and lot at Cahawba | 1,075 92 |
| President and directors board of internal improvements | 18,273 16 | Bank furniture cost | 827 62 |
| Common school fund | 60, 904 65 1/4 | Branch Bank at Montgomery capital | 300,000 00 |

| | | | | |
|---|---|---|---|---|
| Partial payments on jugments | 26, 435 70 | Due from solvent banks in account | $139,094 48 | |
| Due to Banks | 9,575 54 | Notes of solvent banks on hand | 56,101 00 | |
| Balance of profits at last report | $21,378 13 | Specie on hand | 125,411 66 | $ 320,607 14 |
| Total profits since 10th January last, | 93,722 23—— 115,100 36 | Paid on dividends and interest on the 9th November last to the different funds composing the capital | 99,012,35 | |
| | | Current expense paid since 10th January last, | 7,006 45 | |
| Dollars | 2,400,933 20 | Dollars | | 2,400,038 20 |

(C.) An exhibit of the condition of the Bank of the State of Alabama on the 5th of January, 1833.

| | | | | | |
|---|---|---|---|---|---|
| To capital stock | 771,539 61 | By notes discounted | | 330 614 90 | |
| Notes of Bank in circulation | 709, 539,00 | Bills exchanged purchased | | 1,514,559, 62 | |
| State of Alabama, 5 per cent stock | 300,000 00 | Real estate | | 11,540, 53 | |
| Individual depositors | 370,613,64 | Current expense account since 9th November Inst | | 1,455 96 | |
| Internal improvement fund | 214,034 73 | Bank Furniture | | 327 62 | |
| President and directors board internal improvement | 13,278 16 | Branch Bank at Montgomery capital | | 300,000 00 | |
| Common school fund | 67,525 56 | | | | |
| Partial payments | 26,463 62 | | | $ 2,158,498 68 | |
| Amount due to bank in account | 11,607 51 | Amount due from | | | |
| Profits since 9th November last | 36,537 23 | Solvent banks | | | |
| | | In accounts | $135,141 14 | | |
| Dollars | 2,326,163 60 | Notes on hand | 112,001,00 | | |
| | | Species on hand | 119,962 83 | $367,164 97 | |
| | | Dollars | | 2,526,163 00 | |

BANK OF THE STATE OF ALABAMA
Tuscaloosa, January 5, 1833 DANIEL M. RIGGS, Cashier

Ordered, that said report lie on the table, and that three hundred copies with the accompanying documents be printed.

Mr Hall offered the following resolution: Resolved, that the doorkeeper be instructed to illuminate the capitol this evening in honor of this day, as the anniversary of the victory of Orleans. mr Hudson of F. moved that the resolution lie on the table, which was lost: the resolution was adopted.

On motion of mr Rather: Resolved, that the Senate be informed that the House of Representatives is now ready to received them for the purpose of going into the election of a president and twelve directors of the bank of the State of Alabama, and the several judges of the county courts as expressed in the former resolution.

The Senate having repaired to the hall of the House of Representatives and taken their seats, both houses proceeded to the election of a president of the bank of the State of Alabama: John L. Tindall, and William R. Colgin, being in nomination.

Those who voted for mr Tindall are: messrs President Ash Barclay Bridges Coopwood Dupuy Edmondson Erwin of G. Hill Hogan McVay Pickett Smith Vining and Walthall, of the Senate. messrs Speaker Beck Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Fleming Flournoy Fortson Goodrich Hollis Houston of L. Hubbard Hudson of F. Hudson of J. Johnson King Lockhart Lusk McAfee Massey Moffett Morrisette Musgrove Norwood Ormond Rather Richardson Saunders Scott Stewart Sumners Thompson Walker Ward Weissinger Williams Wilson and Young.

Those who voted for mr Colgin are messrs Abercrombie Chapman Hemphill Irwin of H. Morton and Phillips, of the Senate–messrs Breedin Brodnax Coker Devereux Earle Graham Hall Herbert Hill Houston of M. Keener Lee McRea Miree Oliver Paul Perkins Reaves Rhodes Ross Rugely Simmons Stewart Ware and Witherspoon.

John L. Tindall having received a majority of votes, mr Speaker, therefore, declared him duly elected president of the Bank of the State of Ala-

bama.

The two houses then proceeded to the election of twelve directors of the bank of the State of Alabama: William G. Parish, Charles Lewin, Samuel B. Ewing, John B. Pass, James Hogan, George N. Stewart, Benjamin D. Randolph, Nathan Hughes, Thomas Smith, Peter Martin, John O. Cummins, William P. Brown, H.M. Andrews, Wm. B. Allen, William R. Colgin, Z.B. Snow, and Nicholas Perkins, being in nomination.

Those who voted for mt Parish are, messrs President Anderson Ash Barclay Bridges Coopwood Edmondson Erwin of G. Hill, Hogan Irwin of H. McVay Phillips Pickett Smith and Vining of the Senate–messrs Speaker Beck Brickell Camp Carithers Chamberlain Cook Creagh Davis Drish Earle Fleming Flournoy Fortson Goodrich Graham Herbert Hollis Houston of L. Houston of M. Hubbard Hudson of J. Keener King Lockhart Lusk McAfee, Massey, Moffett Morrisette Musgrove Norwood Ormond Paul Porter Rather Richardson Ross Saunders Scott Sumners Tarrant Walker Ward Weissinger Williams and Witherspoon.

Those who voted for mr Lewin are, messrs Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Hemphill Hill Hogan Irwin of H. McVay Morton Phillips Pickett Smith Vining and Walthall, of the Senate–messrs Speaker Breedin Brickell Brodnax Car-

mack Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Hall Hill Hollis Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener Lee McRea Massey Miree Musgrove Norwood Oliver Perkins Porter Rather Reaves Rhodes Richardson Ross Saunders Scott Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams Wilson and Young.

Those who voted for mr Ewing are, messrs Abercrombie Anderson Ash Barclay Bridges Chapman Coopwood Erwin of G. Hemphill Hill Hogan Irwin of H. McVay Phillips Pickett Smith Vining & Walthall of the Senate–messrs Speaker Breedin Beck Brodnax Camp Carmack Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Fleming Flournoy Fortson Goodrich Hall Herbert Hill Houston of M. Hubbard Hudson of F. Hudson of J. Keener King Lee Lockhart Lusk McAfee McRea Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

Those who voted for mr Pass are messrs Anderson, Ash Barclay Bridges Chapman Coopwood Edmondson Erwin of G. Hill Irwin of H. Phillips Pickett Smith and Vining. of the Senate. -messrs Speaker Beck Camp Carithers Chamberlain Creagh Davis Devereux Drish Fleming Flournoy Fortson Goodrich Graham Houston of M. Hubbard Hudson of F. Johnson King Lockhart Lusk McRea Massey Moffett Morrisette Norwood Ormond Paul Porter Rather Reaves Rhodes Ross Saunders Scott Stewart Sumners Tarrant Thompson Walker Ward Weissinger Williams Witherspoon and Young.

Those who voted for mr Guild are, messrs President Abercrombie Anderson Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. McVay Phillips Pickett Smith and Vining, of the Senate.–messrs Beck Brickell Brodnax Camp Carmack Cook Creagh Davis Drish Fleming Goodrich Graham Hill Hollis Houston of L. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lockhart McRea Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Reaves Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

Those who vote for mr Ellis are, messrs President Anderson Ash Barclay Bridges Coopwood Dupuy Edmondson Erwin of G. Hemphill Hogan Irwin of H. McVay Phillips Pickett Smith and Vining, of the senate. — messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Coker Cook Creagh Davis Devereux Drish Earle Fleming Flournoy Goodrich Graham Hall Herbert Hollis Houston of L. Hubbard Hudson of F. Hudson of J. Keener King Lee Lockhart Lusk McRea Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Porter Reaves Richardson Ross Rugely Saunders Scott Stewart Tarrant Thompson Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

Those who voted for mr Ellis are, messrs President Anderson Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. McVay Phillips Pickett Smith Vining and Walthall of the Senate.–messrs Speaker Beck Breedin Brickell Carmack Coker Cook Creagh Drish Earle Fortson Goodrich Graham Herbert Hill Hollis Houston of L. Houston of M. Hudson of F. Johnson Keener King Lusk McAfee McRea Massey Miree Moffett Musgrove Norwood Oliver Ormond Paul Porter Rather Reaves Richardson Rugely Saunders Scott Stewart Walker Ward Ware Weissinger Williams Wilson and Young.

Those who voted for mr Boling are, messrs Abercrombie Anderson Ash Bridges Chapman Dupuy Edmondson Hemphill Hogan Irwin of H. Morton Phillips Pickett Vining and Walthall, of the Senate–messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Chamberlain Coker Cook Creagh Davis Devereux Earle Fleming Flournoy Fortson Goodrich Graham Hall Herbert Hill Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart Lusk McAfee McRea Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Stewart Sumners Tarrant Thompson Ware Weissinger Witherspoon and Young.

Those who voted for mr Hogan are, messrs President Abercrombie Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hill Hogan Irwin of H. McVay Morton

Phillips Pickett Vining and Walthall of the Senate–messrs Beck Brodnax Camp Carmack Carithers Chamberlain Cook Creagh Drish Fleming Flournoy Fortson Goodrich Hall Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson Keener Lee Lockhart McAfee McRea Massey Morrisette Perkins Rather Reaves Rhodes Richardson Ross Rugely Saunders Scott Simmons Sumners Tarrant Weissinger Williams Witherspoon and Young.

Those who voted for mr Stewart are, messrs Abercrombie Anderson Chapman Erwin of G. Hill Hogan Smith and Walthall of the Senate–messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Coker Creagh Davis Devereux Drish Earle Fleming Flournoy Fortson Goodrich Graham Houston of L. Houston of M. Hudson of J. Johnson King Lee Lockhart Lusk McAfee Miree Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Porter Rather Rhodes Richardson Rugely Scott Stewart Sumners Tarrant Thompson Weissinger Williams Witherspoon and Young.

Those who voted for mr Randolph are, messrs Abercrombie Anderson Chapman Dupuy Erwin of G. Hemphill Hogan Morton Pickett and Smith, of the Senate–messrs Beck Breedin Brodnax Camp Chamberlain Coker Creagh Davis Fleming Flournoy Fortson Goodrich Graham Hall Herbert Houston of L. Hudson of J. Lee McAfee Miree Moffett Ormond Paul Perkins Porter Rhodes Rugely Simmons Ware and Witherspoon.

Those who voted for mr Hughes are, messrs President Abercrombie Anderson Ash Barclay Coopwood Dupuy Edmondson Erwin of G. Hill Irwin of H. and Walthall, of the Senate.–messrs Speaker Breedin Brickell Carmack Carithers Davis Drish Fortson Graham Hall Herbert Hill Hollis Houston of M. Hubbard Hudson of F. Johnson Lee Lockhart Lusk Massey Miree Musgrove Norwood Oliver Paul Porter Rather Reaves Ross Rugely Saunders Simmons Stewart Sumners Thompson Walker Ward and Wilson.

Those who voted for mr Smith are, messrs President Dupuy Erwin of G. McVay Morton and Smith, of the Senate–messrs Brickell Brodnax Carithers Chamberlain Coker Drish Earle Her-

bert Hill Hubbard Johnson King Morrisette Oliver Perkins Rather Rhodes Simmons Tarrant Weissinger Williams Wilson and Young.

Those who voted for mr Martin are, messrs Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Hill Hogan McVay Morton Smith and Vining of the Senate—— messrs Beck Brickell Camp Carmack Carithers Chamberlain Davis Earle Fleming Flournoy Fortson Goodrich Graham Hill Hollis Houston of L. Houston of M. Hudson of J. Johnson King Lockhart Lusk McRea Moffett Musgrove Norwood Ormond Paul Rhodes Richardson Scott Stewart Sumners Thompson Walker Ward Ware Williams Wilson Witherspoon and Young.

Those who voted for mr Cummins are, messrs President Anderson Ash Bridges Chapman Dupuy Edmondson Erwin of G. Hemphill Hill Hogan McVay Morton Pickett Vining and Walthall, of the Senate–messrs Beck Brickell Camp Carmack Carithers Cook Creagh Davis Drish Hill Hollis Houston of m. Hubbard Hudson of F. Keener King Lockhart Lusk McAfee Massey Ormond Perkins Rather Sumners Thompson Walker Ward Weissinger Williams Wilson and Young.

Those who voted for mr Brown are, messrs Abercrombie Morton and Phillips, of the Senate.–messrs Brodnax Coker Hall and Wilson

Those who voted for mr Andrews are, messrs President Abercrombie Barclay Chapman Dupuy Hemphill Hill Irwin of H. McVay Morton Smith Vining and Walthall, of the Senate–messrs Speaker Breedin Bordnax Camp Carithers Devereux Earle Fleming Flournoy Goodrich Graham Hall Herbert Hill Hollis Houston of L. Hudson of J. King Lee Lockhart Lusk M'Afee McRea Moffett Musgrove Norwood Oliver Ormond Paul Perkins Porter Reaves Rhodes Richardson Rugely Saunders Scott Simmons Stewart Sumners Tarrant Walker Ward Ware and Witherspoon.

Those who voted for mr allen are, messrs Ash Edmondson and Phillips, of the Senate, — messrs Breedin Coker Devereux Fortson Hall Herbert Hudson of F. Paul and Wilson.

Those who voted for mr Colgin are, messrs President Abercrombie Coopwood Hemphill Hill Hogan Irwin of H. Morton Phillips and Walthall, of the Senate-- messrs Speaker Breedin Brodnax Carmack Chamberlain Coker Cook Devereux Earle Fortson Graham Hall Herbert Hill Hollis Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener Lee McAfee McRea Massey Miree Moffett Morrisette Musgrove Oliver Perkins Porter Rather Reaves Rhodes Richardson Ross Rugely Saunders Simmons Stewart Tarrant Thompson Ward Ware and Witherpsoon.

Those who voted for mr Snow are, messrs President Abercrombie Hemphill Morton Pickett and Walthall, of the Senate.–messrs Breedin Brodnax Cook Earle Fleming Herbert Hollis Johnson Keener Lee Lusk McAfee Miree Morrisettee Oliver Perkins Ross Simmons Walker and Ware.

Those who voted for mr Perkins are, messrs Abercrombie Coopwood Erwin of G. Morton and Walthall, fo the Senate.–messrs Speaker Breedin Brodnax Coker Cook Devereux Earle Hall Hollis Keener Lee McAfee McRea Miree Oliver Perkins Reaves Rhodes Ross Rugely Simmons Stewart Thompson Ware and Wilson.

William G. Parish, Charles Lewin, Samuel B. Ewing, John B. Pass, James Guild, Frederick Ellis, John Owen, Thomas R. Bollin, James Hogan, George N. Stewart, H.M. Andrews, and William R. Colgin, having received a majority of votes, mr Speaker therefor declared them duly elected directors of the bank of the State of Alabama.

The Senate then withdrew.

And then the House adjourned until to-morrow morning nine o'clock.

Wednesday, January 9th, 1833–Accounts were presented by mr Williams and mr Moffett; they were severally read and referred to the committee on accounts.

A message was received from the Senate by mr Morton: mr Speaker: The Senate have passed a bill to be entitled an act for the relied of Robert J.

Ware, in which they ask the concurrence of the House of Representatives. They have also passed bills which originated with the House of Representatives, of the following titles, to-wit: An act to revise, amend, amplify and repeal in part certain acts contained in the new digest of the statutes of this State, an act to incorporate the Pendleton academy in the county of Clarke, town of Coffeeville.

Mr Moffett from the committee on accounts to whom was referred the bill entitled an act making appropriations for certain claims against the State,

reported sundry amendments, which was adopted, the bill was considered as engrossed, and made the special order of the day, for its third reading to-morrow at 11 o'clock.

The bill from the Senate entitled an act for the relief of Robert J.Ware, was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith and the rule being dispensed with, it was read the third time forthwith, and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Oliver made the following report: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles, to-wit: An act to establish a road from the ferry at Montgomery, by way of Kingston, in the county of Autauga, to Samuel Bogle's in Bibb county, an act to incorporate the Montgomery Hall company.

Mr Creagh from the committee on ways and means, reported a bill to be entitled an act making appropriations for the year eighteen hundred and thirty three, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, and ordered to be engrossed and made the special order of the days for its third reading on to-morrow at 11 o'clock.

Mr Hollis made the following report: The select committee to whom was referred the petition of sundry citizens of Marion county, praying the passage of a law authorizing the sheriff of said county to perform the duties of constable, have according to order had the same under consideration and instructed me to report, that they believe the passage of such a law would have a salutary effect in all thin populated counties, as it would enhance the emoluments of the officer, and thereby call forth better talents; but there are not a sufficient number of subscribers to said petition to induce the committee to believe that majority of the citizens of that county want the passage of such a law; therefore, they deem it inexpedient to legislate on at present; and ask leave to be discharged from the further consideration of the subject, which was granted.

Mr Carithers made the following report; The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles to-wit: An act for the relief of Thomas Mitchell of Jefferson county; an act to provide for the translating and recording of the British, French and Spanish record of this State; an act to authorize the colonel commandant of the 15th regiment, in the county of Jefferson, to increase the number of beats in said regiment, and for other purposes.

Mr Porter introduced a bill to be entitled an act to repeal an act allowing two constables to beat number six, in the 17th regiment of Alabama militia, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read a second and third time forthwith, considered as engrossed, and passed. Ordered, that the title be as aforesaid, and that the same be sent to the Senate for their concurrence.

Mr Ormond introduced a bill to be entitled an act to authorize the judges of the supreme court, to hold adjusted terms, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read a second and third time forthwith, considered as engrossed, and passed. Ordered, that the title be as aforesaid, and that the same be sent to the Senate for their concurrence.

Mr Creagh from the committee on ways and means, to whom was referred the bill entitled, an act to alter the mode of appointing assessor, report:

ed the same with sundry amendments, which were concurred in by the House. mr Ormond moved the following amendment after the word "collector," "who shall receive as compensation two thirds of the amount now allowed by law to the assessor and tax collector," which was adopted, and the rule requiring bills to be read on three several days being dispensed with, it was considered as engrossed, and read a third time forthwith, and passed. Ordered, that the title be as aforesaid, and that the same be sent to the Senate.

Mr Tarrant introduced a joint preamble and resolutions, which were read the first time, and the rule requiring bills and joint resolutions to be read on three several days being suspended, they were read a second time forthwith and ordered to be engrossed and made the special order to the day for their third reading on to-morrow at 11 o'clock.

Mr Hudson of F. called up the resolution introduced by mr Flournoy, on the 26th ultimo, which was adopted.

Mr. Moffett called up the bill for the relief of O.J. Williams. mr Moffett moved to amend it by striking out $355 40 cents, with a view to insert $405 40 cents, which was carried, and the rule requiring bills to be read on three several days being suspended, the bill was ordered to be considered as engrossed, read a third time and passed. Ordered, that the title be as aforesaid, and that the same be sent to the Senate for their concurrence.

A message was received from the Governor by James I. Thornton, which is as follows:

EXECUTIVE DEPARTMENT, Tuscaloosa, 9th Jan. 1833.

It is considered highly probably that there will be a called session of congress between the fourth of March next, and the succeeding general election. Should this be the case, this State will not be represented in the House of Representatives as the period for which our members are elected will expire on the 3d of March next. In order to guard against an event which might be injurious to the interests of the State, that provision be made by law for the election of our members of congress, in time to meet that body should it be convened before the period of its annual session. I transmit to the general assembly several resolutions adopted by the State of Georgia, in relation to the powers of the general a government, to appropriate money upon objects of internal improvement, and proposing that congress shall call a convention of the people of the United States, in order to effect certain amendments of the constitution. Also, resolutions of the State of Pennsylvania, relative to the Union of the States and the constitution of the United States.

(Signed)_ JOHN GAYLE

Which communication was referred to a select committee, whereupon, messrs Creagh, Herbert, Ormond, Oliver and Wilson were appointed.

The bill from the Senate entitled an act to fix the salary of the president of the bank of the State of Alabama, and for other purposes, was read the second time. Mr Brodnax moved to amend the bill by striking out the first section, which was carried. yeas 43, nays 11.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Speaker Beck Breedin Brickell Brodnax Carmack Carithers Creagh Davis Earle Fortson Graham Hall Herbert Hill Houston of L. Houston of M. Hudson of F. Johnson of Lee Lusk McRea Miree Massey Moffett Morrisette Musgrove Oliver Paul Reaves Rhodes Richardson Ross Simmons Stewart Sumners Tarrant Thompson Walker Ware Weissinger and Young.

Those who voted in the negative are messrs Camp Chamberlain Drish Fleming Hubbard Norwood Ormond Perkins Rather Saunders and Wilson.

And the rule requiring bills to be read on three several days being dispensed with, the bill was read a third time forthwith. mr Herbert moved to amend the title of the bill as follows: an act to fix the salary of the president and other officers of the branch of the bank of the State of Alabama at Montgomery," which was carried, and the bill passed. Ordered, that the title be as aforesaid. and that the clerk acquaint the Senate thereof.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to-wit: An act for the benefit of Cornelius Cox of Bibb county, an act to provide for the election of officers for the county of Pike: an act to incorporate the light horse, inthe county of Autauga: an act to incorporate the Washington Lafayette academy, in the town of Tuscaloosa, an act to authorise a lottery for the purpose of building an academy at or near Statesville, in the county of Autauga.

On motion of mr Hudson of F: Resolved, that the Senate be invited to assembly in the representaitve hall at three o'clock, P.M. this day, for the purpose of resuming the election of the judges of the several county courts; and also to elect three Tennessee canal commissioners.

Mr Miree made the following report: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles, viz: An act to authorise the judge of the county court of Franklin and commissioners of roads and revenue, to designate the boundary and hands of each overseer, an act to provide for the appointment without the State of commissioners to take testimony; an act to require jurors to be drawn in certain cases; an act providing for the maintenance and education of certain persons therein named; an act to provide for taking the census for the year 1833; an act to organize the county of Barbour, and for other purposes.

Mr Oliver made the following report: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles, viz: An act to provide for summoning jurors for the county courts: an act to amend the several acts in relation to sixteenth sections an act to review and alter the State road leading from E. Burrows' in Dallas county, to Montevallo in Shelby county; an act to repeal in part an act to regulate the rate of interest, passed December 17, 1819; and an act for the relief of Samuel G. Cloud.

Mr. Weissinger moved to take from the table the bill for the improvement of the Cahawba river from the town of Centreville to its junction with the Alabama river. Mr Speaker decided that the consideration of the bill was not now in order, as the same had already been acted upon by this House. Mr Weissinger appealed from this decision, which was sustained by the House.

Message from the Senate by mr Morton: mr Speaker: The Senate disagree to the amendment made by the House of Representatives, to the bill entitled an act to amend the charter of the Bank of the State of Alabama. Mr Herbert moved that the House insist on their amendment, which was carried.

The bill from the Senate the better to secure the funds of the State University, was read a third time and passed. Ordered, that the title be as above, and that the clerk acquaint the Senate therewith.

The engrossed bill to establish a certain county therein named, was read the third time. mr Goodrich moved that the bill be indefinitely postponed. mr Hudson of F. moved a call of the House, which was refused. The question then recurred on mr Goodrich's motion, which was carried.

Yeas 32 ; nays 30.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck Brickell Carmack Creagh Davis Drish Flournoy Fortson Goodrich Hollis Houston of L. Hudson of J. Johson Lockhart Lusk McRea Moffett Morrisette Norwood Ormond Rather Reaves Rhodes Richardson Sumners Thompson Walker Ward Williams Witherspoon and Young.

Those who voted in the negative are messrs Breedin Brodnax Camp Carithers Chamberlain Earle Fleming Graham Hall Herbert Hill Houston of M. Hubbard Hudson of F. Keener Lee Massey Miree Musgrove Oliver Porter Ross Saunders Simmons Stewart Tarrant Ware Weissinger and Wilson.

Engrossed bills of the following titles: An act to authorise the further sub-division of lands sold at the land office at Courtland; an act to discontinue and establish certain election precincts therein mentioned, were severally read the third time and passed. Ordered, that their titles be as aforesaid, and that they be sent to the Senate for their concurrence.

The bill from the Senate entitled an act to amend the militia law under the heads of courts marital, was read a third time and passed. Ordered, that the title be as above, and that the clerk acquaint the Senate thereof.

The bill entitled an act to repeal in part an act entitled an act to raise a revenue for the support of government until otherwise altered by law, approved January 13, 1832, was read a second time and rejected.

The bill entitled an act prescribing the duties of coroners, was read a second time. Mr Hall moved to amend the bill by adding thereto an additional section, which was adopted, and the constitutional rule being suspended, was read a third time, considered as engrossed, and passed. Ordered, that the title be as above, and tat the same be sent to the Senate for their concurrence.

The bill to be entitled an act to provide for taking depositions of the judges of the supreme and circuit courts, and other purposes therein named was read a second time. mr Hudson of F. moved to amend it by inserting after the word “courts” the word “or solicitors,” which was carried. mr Porter moved to amend the bill by inserting after the word “solicitors” the words “or clerks of circuit and county courts,” which was adopted, and the constitutional rule being suspended, it was considered as engrossed, and read a third time and passed. Ordered, that the title be as above, and that the same be sent to the Senate for their concurrence.

The bill entitled an act amendatory to the several acts concerning witnesses, approved January 3, 1832, so far as respects the county of Madison, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, it was considered as engrossed, and read a third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

And then the House adjourned until this afternoon at three o’clock.

Evening Session, three o’clock–The bill entitled an act explanatory of the liability of persons to work on roads was read the second time, and the rule requiring bills to be read on three several; days being dispensed with, it was considered as engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

The bill entitled an act to provide for the emancipation of slaves, and for other purposes, was rad the second time, and the constitutional provision being suspended, it was considered as engrossed, and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Joint resolutions in relation to procuring the journals of the Senate and

House of Representatives of the United States, was read the second time, and the constitutional provision being suspended, it was read the third time

forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate thereof.

The bill entitled an act to amend the several acts now in force in this State in relation to gaming, was read the second time. Mr Massey moved that the bill be indefinitely postponed, which was lost. Yeas 4; nays 54.

The yeas and nays being demanded, those who voted in the affirmative are messrs Camp Lockhart McAfee and Massey.

Those who voted in the negative, are Messrs Speaker Beck Breedin Brickell Carmack Carithers Chamberlain Cook Davis Drish Fleming Fortson Goodrich Graham Herbert Hill Hollis Houston of L. Houston of M. Hudson of F. Johnson Keener King McRea Miree Moffett Morrisette Musgrove Norwood Ormond Paul Perkins Porter Rather Reaves Rhodes Richardson Ross Saunders Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

Mr Cook moved to amend the bill by striking out the words “in lieu thereof,” which was lost. Mr Lockhart moved to strike out the second section, which was lost. It was ordered to be engrossed for a third reading.

Ordered, that messrs Coker, Scott and Devereux have leave of absence for the remainder of the session.

The joint resolutions from the Senate in relation to a third judicial district was read a second time and ordered to a third reading.

The bill from the Senate entitled an act to keep open the road leading from Childress' old place to Oldtown, on the Black Warrior, was read the second time, and the rule requiring bills to be read on three several days being dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate thereof.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles: An act to simplify sciri facias in criminal cases, and for other purposes: a memorial to the Congress of the United States, in relation to the improvements on the Tennessee river; an act to divide the State into districts for electing representatives to Congress.

A message was received from the Senate by mr Morton: mr Speaker: The Senate concur in the resolution of the House of Representatives proposing to resume the election of judges of the several county courts and three Tennessee canal commissioners.

On motion of mr Ormond: Resolved, That the Senate be informed that the House of Representatives are now ready to proceed to the election of judges of the several county counts, and of Tennessee canal commissioners. Ordered, that the clerk acquaint the Senate therewith.

The Senate having repaired to the Hall of the House of Representatives, and taken their seats, the two Houses then proceeded to the election of a judge of the county court for the county of Benton.

Christopher A. Green and Willis Franklin being in nomination.

Those who voted for Mr Green, are Messrs President Ash Barclay Coopwood Dupuy Edmondson Erwin of G. McVay Smith and Vining of the Senate. Messrs Speaker Beck Camp Carithers Chamberlain Creagh Davis Drish Fleming Fortson Goodrich Herbert Hollis Houston of L. Houston of M. Hubbard Hudson of F. Johnson King McAfee Massey Miree Morrisette Musgrove Norwood Oliver Ormond Rather Rhodes Ross Stewart Sumners Thompson Walker and Wilson.

Those who voted for Mr Franklin are Messrs Ambercrombie Bridges Chapman Hill Hogan Irwin of H. Morton Phillips Pickett and Walthall of the Senate. Messrs Breedin Carmack Cook Earle Hill Hudson of J. Keener Lee Lockhart McRea Moffett Paul Perkins Reaves Richardson Rugely Saunders Simmons Tarrant Ward

Weissinger Williams Witherspoon and Young.

Christopher A. Green having received a majority of the votes, mr Speaker

therefore declared him duly elected judge of the county court of Benton county.

The two Houses next proceeded to the election of a judge of the county court for the county of Talladega. Ansell Sawyers and Green T. McAfee being in nomination.

Those who voted for mr Sawyers, are messrs President Bridges Chapman Edmondson and Hill of the Senate. Messrs Davis Drish Hill Hudson of F. Reaves Ross Simmons Sumners Tarrant Thompson and Young.

Those who voted for mr McAfee, are messrs Abercrombie Ash Barclay Coopwood Dupuy Hogan Erwin of H. McVay Morton Phillips Pickett Smith Vining and Walthall of the Senate. Messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Cook Earle Fleming Fortson Goodrich Herbert Hollis Houston of L. Houston of M. Hubbard Hudson of J. Johnson Keener King Lee Lockhart McRea Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Rather Rhodes Rugely Saunders Stewart Walker Ward Ware Weissinger Wilson and Witherspoon.

Green T. McAfee having received a majority of the votes, me Speaker therefore declared him duly elected judge of the county court of Talladega county.

The two Houses next proceeded to the election of a judge for the county court of Randolph county. James M. Lyon alone being in nomination.

Those who voted for Mr Lyon are messrs President Abercrombie Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hill Hogan Irwin of J. M'Vay Morton Phillips Pickett Smith Vining and Walthall of the Senate. messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Fleming Fortson Goodrich Hill Hollis Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart McRea Massey Miree Moffett Morrisette Norwood Oliver Ormond Paul Perkins Rather Reaves Rhodes Richardson Ross Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Wilson Witherspoon and Young.

James M. Lyon having received a majority of votes, mr Speaker therefore declared him duly elected judge of the county court for Randolph county.

The two Houses then proceeded to the election of a judge of the county court for the county of Coosa Charles N. Bulger alone being in nomination.

Those who voted for Mr Bulger, are Messrs President Abercrombie Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Erwin of G. Hill Irwin of H. McVay Morton Phillips Pickett Smith Vining and Walthall of the Senate. Messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Fleming Fortson Goodrich Graham Herbert Hill Hollis Houston of L. Houston of M. Hubbard Hudson of F. Hudson of K. Johnson Keener King Lee Lockhart McRea Massey Miree Moffett Morrisette Oliver Ormond Paul Perkins Rather Reaves Rhodes Richardson Ross Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Wilson Witherspoon and Young.

Charles N. Bulger having received a majority of votes, mr Speaker declared him duly elected judge of the county courts for Coosa county.

The two Houses next proceeded to the election of a judge for the county of Tallapoosa. Willis Atkins alone being in nomination.

Those who voted for Mr Atkins, Messrs President Abercrombie Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Hill Irwin of H. McVay Morton Phillips Pickett Vining and Walthall of the Senate. messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Fleming Fortson Goodrich Graham Herbert Hill Hollis Houston of L. Houston of M. Hubbard Hudson of F. Hudson of J. Johnson Keener King Lee Lockhart McRea

Massey Miree Moffett Oliver Ormond Paul Perkins Rather Reaves Rhodes Richardson Ross Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Wilson Witherspoon and Young.

Willis Atkins having received all the votes given, mr Speaker therefore declared him duly elected judge of the county court of Tallapoosa county.

The two Houses next proceeded to the election of a judge for the county courts of Pike county. John H. Jones alone being in nomination.

Those who have voted for mr Jones are messrs President Abercrombie Ash Barclay Bridges Chapman Coopwood Dupuy Edmondson Hill Irwin of H. M'Vay Morton Phillips Pickett Vining and Walthall of the Senate. Messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Fleming Fortson Goodrich Graham Herbert Hill Hollis Houston of L. Houston of M. Hubbard Hudson of F. Keener King Lee Lockhart Lusk Massey Miree Moffett Morrisette Oliver Ormond Paul Perkins Rather Reaves Rhodes Richardson Ross Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Ward Ware Weissinger Wilson Witherspoon and Young.

John H. Jones having received all the votes given, mr Speaker declared him duly elected judge of the county court for Pike county.

The two Houses next proceeded to the election of a judge of the county court for Macon county. Robert W. Kerr alone being in nomination.

Those who voted for mr Kerr, are messrs President Abercrombie Ash Barclay Bridges Chapman, Coopwood Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. McVay Morton Phillips Pickett Smith Vining and Walthall, of the Senate —— messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Chamberlain Cook Creagh Davis Drish Earle Fleming Fortson Goodrich Graham Herbert Hill Hollis Houston of L. Houston of M. Hubbard Hudson of L. Keener King Lee Lockhart Lusk Massey Miree Moffett Morrisette Musgrove Oliver Ormond Paul Rather Reaves Richardson Ross Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams Wilson Witherspoon and Young.

Robert W. Kerr having received all the votes given, mr Speaker declared him elected judge of the county court for Macon county.

The two houses next proceeded to the election fo judge of the county court for the county of Chambers. James Thompson alone being in nomination.

Those who vote for mr Thompson are, messrs President Abercrombie Ash Barclay Bridges Chapman Coopwood Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. McVay Morton Phillips Pickett Smith Vining Walthall of the Senate. — Speaker Beck Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Cook Creagh Davis Drish Earle Fleming Fortson Goodrich Hall Herbert Hill Hollis Houston of L. Houston of M. Hubbard Hudson of F. Keener King Lee Lockhart Lusk Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Rather Reaves Richardson Ross Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Walker Ward Ware Weissinger Williams, Wilson Witherspoon and Young.

James Thompson having received all the votes given, mr Speaker therefore declared him duly elected judge of the county court for Chambers county.

The two Houses proceeded next to the election of a judge of the county court of Russell county. Thomas Martin alone being in nomination.

Those who voted for mr Martin are messrs President Abercrombie Ash Barclay Bridges Chapman Coopwood Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. McVay Morton Phillips Pickett Smith Vining and Walthall of the Senate.— messrs Speaker Beck Breedin Brickell Brodnax Camp Carithers Creagh Davis Drish earle Fleming Fortson Goodrich Hall Herbert Hill Hollis Houston of L. Houston of M. Hudson of F. Keener King Lee Lockhart Lusk Massey Miree Moffett Morrisette Musgrove Norwood Paul Rather Reaves Richardson Roll Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Ware Weissinger Williams Wilson Witherspoon and Young.

Thomas Martin having received all the votes given, mr Speaker therefore declared him duly elected judge of the county court for Russell county.

The two Houses next proceeded to the election of a judge of the county court of Sumpter county. William G. Anderson, Edward B. Colgin, Jas. N. Rushing and Benjamin O. Pelt, being in nomination.

Those who voted for mr Anderson, are messrs Ash Barclay Bridges Coopwood Edmondson Hogan Irwin of H. McVay Morton Smith and Vining of the Senate.–messrs Beck Brickell Camp Carmack Creagh Fleming Goodrich Hollis Hudson of F. Hudson of J. Keener King Lee Lockhart Lusk Norwood Ormond Rhodes Richardson Sumners Tarrant Weissinger and Williams.

Those who voted for mr Rushing are mr Pickett of the Senate–messrs Brodnax Davis Fortson Hill Houston of L. Houston of M. Hubbard Miree Moffett Morrisette Paul Rather Reaves Ross Saunders Simmons Stewart Thompson and Ware.

Those who voted for mr Colgin, are messrs President Abercrombie Chapman Hemphill Hill Phillips and Walthall of the Senate–messrs Speaker Breedin Chamberlain Drish Earle Graham Hill Herbert Massey Musgrove Oliver Perkins Rugely and Witherspoon.

Those who voted for mr O'Pelt, are Mr Erwin of G. of the Senate. messrs Carithers Johnson and Young.

The name of mr O'Pelt being withdrawn, the two House proceeded again to the election.

Those who voted for mr Anderson are messrs Ash Barclay Bridges Coopwood Edmondson Hogan Irwin of H. McVay Morton Smith And Vining of the Senate–messrs Speaker Beck Brickell Camp Carmack Creagh Fleming Goodrich Hollis Hudson of F. Hudson of J. Keener King Lee Lockhart Lusk Norwood Ormond Rhodes Richardson Sumners Tarrant Weissinger Williams and Young.

Those who voted for mr Rushing are messrs Erwin of G. and Pickett of the Senate–messrs Brodnax Carithers Davis Fortson Houston of I. Houston of M. Hubbard Johnson Miree Moffett Morrisette Paul Rather Reaves Ross Saunders Simmons Stewart Thompson and Ware.

Those who voted for mr Colgin, are messrs President Abercrombie Hemphill Hill Phillips and Walthall, of the Senate–messrs Breedin Chamberlain Drish Earle Hall Herbert Hill Massey Musgrove Oliver Perkins Rugely Wilson and Witherspoon.

None of the candidates having received a majority of votes the two Houses proceeded again to the election.

Those who voted for mr Anderson are messrs Ash Barclay Bridges Chapman Coopwood Edmondson Hogan McVay Morton Smith &Vining of the Senate.— messrs Speaker Beck Brickell Camp Carmack Carithers Creagh Fleming Goodrich Herbert Hollis Hudson of F. Hudson of J. Keener King Lee Lockhart Lusk Norwood Ormond Paul Rather Rhodes Richardson Saunders Sumners Tarrant Weissinger and Young.

Those who voted for mr Rushing, are messrs Erwin of G. and Pickett of the Senate–messrs Brodnax Davis Drish Fortson Houston of L. Hubbard Miree Moffett Morrisette Reaves Ross Simmons Stewart and Ware.

Those who voted for mr Colgin are, messrs President Abercrombie Hemphill Hill and Phillips of the Senate–messrs Breedin Chamberlain Earle Hall Hill Massey Musgrove Oliver Perkins Rugely Thompson Wilson and Witherspoon.

William G. Anderson having received a majority of votes, mr Speaker therfore declared him duly elected judge of the county court for Sumpter county.

The two Houses then proceeded to the election of a judge of the county court of Shelby county. Alphonso A. Sterrett alone being in nomination.

Those who voted for mr Sterrett are messrs President Abercrombie Ash Barclay Bridges Chapman Copwood Edmondson Erwin of G. Hemphill Hill Hogan Irwin of H. McVay Morton Phillips Pickett Simth Vining and Walthall of the Senate-messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Fleming Fortson Goodrich Hall Herbert Hill Hollis Hubbard Hudson of F. Hudson of J. Keener King Lockhart Lusk Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Rather Rhodes Richardson Ross Rugely Saunders Simmons Sumners Tarrant Thompson Ward Weissinger Wilson and Young.

Alphonso A. Sterrett having received all the votes given, me Speaker declared him duly elected judge of the county court for Shelby county.

The two Houses then proceeded to the election of a judge for the county court of Butler county, Edward H. Cook alone being in nomination.

Those who voted for mr Cook are messrs President Abercrombie Ash Barclay Chapman Coopwood Edmondson Hemphill Hill Hogan Irwin of H. McVay Morton Phillips Pickett Smith and Vining, of the Senate–messrs Speaker Beck Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Goodrich Graham Hall Herbert Hill Houston of L. Hubbard Hudson of F. Hudson of J. Keener King Lee Lockhart Lusk Massey Miree Moffett Morrisette Musgrove Oliver Ormond Paul Perkins Rather Rhodes Richardson Ross Rugely Saunders Simmons Stewart Sumners Tarrant Thompson Ware Weissinger Wilson and Young.

Edward H. Cook having received all the votes given, mr Speaker therefore declared him duly elected judge of the county court for Butler county.

The first two houses then proceeded to the election of three Casual Commis-

sioners. Thomas Fearn, James Jackson and J.J. Swoope being in nomination.

Those who vote for mr Fearn are, messrs President Ash Barclay Bridges Chapman Coop-Edmondson Erwin of G. Hill Hogan Irwin of H. McVay Morton Phillips Pickett Smith and Vining of the Senate–messrs Speaker Beck Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Davis Drish Earle Fleming Goodrich Graham Hall Hill Houston of L. Houston of M. Hubbard Hudson of J. Johnson Keener King Lee Lockhart Lusk Massey Miree Moffett Morrisette Musgrove Norwood Oliver Ormond Paul Perkins Rather Rhodes Richardson Ross Rugely Saunders Stewart Sumners Tarrant Thompson Walker Ware Weissinger Wilson and Young.

Mr Jackson and Mr Swoope received the same vote as above, except that mr Hudson fo F. voted for mr Jackson alone, and mr Keener voted for mr Fearn and mr Swoope.

Mr Fearn, mr Jackson and mr Swoope having received all the votes given, mr Speaker therefore declared them elected Canal Commissioners.

The Senate then withdrew, and the House adjourned until to morrow morning, nine o'clock.

Thursday, January 10–Mr Ross presented the memorial of sundry citizens of Wilcox county, on the subject of the tariff laws, which was read and ordered to lie on the table.

A message was received from the Senate by mr Morton: mr Speaker: The Senate have passed the following bills which originated in the House of Representatives, to wit: An act to authorise Thomas Brown to enter a certain tract of land therein named; an act for the reduction of the taxes; joint memorial of the Senate and House of Representatives, praying a reduction in the price of public lands; joint resolutions to keep and preserve all the furniture of both Houses of the General Assembly, and for other purposes; all of which they amended as therein appear. They have passed an act from the House of Representatives, to incorporate for a limited time the Crow creek navigation company. They have rejected the following bills from the House of Representatives, to wit: An act for the relief of Samuel Martin, of Franklin county, an act prescribing the time of holding the battalion muster in the sixteenth regiment, fourth brigade, and second division of Alabama militia; an act to establish an additional number of company beats in fourteenth regiment of Alabama militia. They have passed a bill from the House of Representatives, entitled an act to incorporate the Claysville independent blues of Jackson county. They concur in the amendments made by the House of Representatives, to a bill entitled an act amendatory of an act for the relief of the fire engine company, No. 2, of the city of Mobile, approved January 15, 1831. They have passed the following bills, in which they desire the concurrence of the House of Representatives; joint resolutions relative to the boundary line between this State and the State of Georgia; an act to authorise the laying of an additional tax for the county of Pickens. Ordered, that the House concur in the amendment made by the Senate to the bill entitled an act authorizing Thomas Brown to enter a certain tract of land therein named.

Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act for the reduction of the taxes.

Ordered, that the House concur in the amendments made to the joint memorial to the Congress of the United States, praying a reduction in the price of public lands.

Mr Drish moved that the House disagree to the amendment made by the Senate to the joint resolution to keep and preserve all the furniture of both Houses of the General Assembly, and for other purposes, which was carried.

On motion of mr Morrisette: Resolved, That the chairman of the committee on enrolled bills be directed to return the bill providing for the digesting and printing the new digest with instructions to ascertain what amendments were made by that body.

Joint resolutions from the Senate entitled joint resolutions relative to the boundary line between this State and the State of Georgia, was read the first time, and the constitutional provision being suspended, it was read the second and third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate thereof.

The bill entitled an act to authorise the laying of an additional county tax for the county of Pickens was read the first time, and the constitutional provision being suspended, it was read the second time forthwith. mr Hudson of F. moved to amend the bill by striking out the word “laying,” with a view to insert the word “levying,” which was carried; and the rule being further dispensed with, it was read the third time forthwith and passed. The bill was amended by striking out the word “laying” to insert the word

"levying" Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Goodrich, from the committee on inland navigation to which was referred the bill from the Senate entitled an act for the improvement of the rivers and roads in this State, reported that it is inexpedient to pass the bill, in which report the House concurred.

Mr. Herbert from the select committee to which was referred the message from the governor, and the accompanying resolutions from the States of Louisiana and Tennessee, reported that they entirely disapprove of the resolutions from Louisiana, and concur in the first and third resolutions from Tennessee, and disapprove of the second, and respectfully request the concurrence of the House in this report, in which report the House concurred.

Mr Carithers, from the committee on enrolled bills made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, viz: An act to incorporate Pendleton Academy in the town of Coffeeville, county of Clarke; and an act for the relief of Benjamin Hudson and William Alsobrooks of Franklin county.

Mr Breedin made the following report: The joint committee appointed by the Senate and House of Representatives to examine the affairs and condition of the Bank of the State of Alabama, ask leave to make the following supplemental report:

That they have carefully examined a number of notes and bills of exchange amounting in all to the sum of twenty-six thousand seven hundred dollars, which prove to be counterfeit, and which it has be ascertained since the last report of the committee of examination, had been ingeniously imposed upon the officers of the Bank as genuine. They are as follows:

A note for $750, purporting to have been drawn by John Williams, Leroy Adams and Jacob Bell, of Montgomery county, due by its face January 1-4, 1832.

A note for $750 purporting to have been drawn by Phillip Zaber, Thompson Jones and Henry Jones, also of Montgomery, due by its face 1st and 4th January, 1832.

A bill for $3,000, purporting to have been drawn by Leroy Maddox on J. S. Colbert, and by him accepted, and endorsed by Leo. Harrison and Stephen Harrison, due by its face 26th January, 1832.

A bill for $2,000, purporting to have been drawn by John Grats and endorsed by James Grats and Thomas Henry, due by its face 4th April, 1832.

A bill for $3,000, purporting to have been drawn by John Cowles and endorsed by Aley Cowles and Henry Jones, due by its face May 17, 1832.

A bill for $1000 purporting to have been drawn by Thomas Vickery, and endorsed by James Yenbrook and Peter Hudson, due by its face May 30, 1832.

A bill of $1200, purporting to have been drawn for Caleb Davis, and endorsed by Leonard Gree and Mose Jones, due by its face May 29, 1832.

All of which said five bills appear by their face to have been dated in Montgomery county.

Also, a bill of $2000, purporting to have been drawn by William Prewitt on John Leslie, and by him accepted, and endorsed by Henry Prewitt and Thomas Jones, due by its face January 25, 1832.

A bill for $2000, purporting to have been drawn by Turner Douglass on Phil Douglass, and by him accepted, and endorsed by George Reys and Jared Harris due by its face January 24, 1832.

A bill for $2000, purporting to have been drawn by James Speight on

Felix Cole, and by him accepted, and endorsed by Thomas Sleder and James Burr, due by its face February 15, 1832.

All which of appear by their face to have been dated in Pike county.

Also, a bill for $1000 purporting to have been drawn by Malcolm Hunter on Henry Smith, and by him accepted, and endorsed by Thomas W. Judge and Malcolm Hunter, due by its face January 26, 1832.

A bill for $2000, purporting to have been drawn by Wiley Henry on Thomas Strong and Henry Pierce, due by its face February 11, 1832.

A bill for $2000, purporting to have been drawn by Fleming Johnson and endorses by Ptolemy Johnson and John Johnson, due by its face May 26, 1832.

All of which appear to have been dated in Butler county.

And also a bill for $2000, purporting to have been drawn by John Stiles on John Pope, and by him accepted, and endorsed by James Stiles and Phil Faulk, due by its face February 13, 1832.

And a bill for $2000 purporting to have been drawn by James Gaines on Phil Bowzer, and by him accepted and endorsed by John Gaines and Henry Vickers, due by its face March 2, 1832.

The committee have been aided in the examination of this subject by the testimony of three gentlemen now members of the General Assembly, whose names have been severally counterfeited and used on the certificates recommending some of the paper to the officers of the Bank. It appears from the testimony that the paper is altogether spurious, no such persons being known as those whose names have been thus employed to defraud the Bank.

The committee believed it to be their duty to take down the testimony touching this transaction in writing, that such of the members of the General Assembly as might feel it to be their duty to examine it should have an opportuniy of so doing; and for this purpose it is filed with the cashier of the Bank. An examination of this paper can lead to but one conclusion: It is that Mosely Baker was the sole author of the entire fraud.

The greatest injustice would be done to the officers of the Bank if the slightest insinuation were made that they are in the least to blame for these unfortunate transactions. Mosely Baker was, at the time the frauds were committed, a distinguished member of the House of Representatives from Montgomery county; he had been in the habit of recommending genuine paper to the Bank from that and the adjoining counties: and had been constituted an agent by many of his constituents for transacting their business with the Bank. In the language of one of the witnesses, “He was of high standing and had heavy banking transactions to attend to for the people of his district of country. And above all, the certificates recommending the spurious paper were signed by him while he was yet a member of the House, and the signatures of others to the same were so well imitated as at first glance to be well calculated to deceive. It is the settled opinion of the committee, that the same combination of imposing circumstances, would have deceived incredulity itself.

Upon tracing the fraud, the committee have found it to extend back to a period further than is embraced in the transaction which they now report. But every other transaction that is above in detail has been settled and paid.

| | |
|---|---|
| The aggregate amount of fraudulent paper now unpaid in Bank is | $ 26,700 00 |
| Payments made on the above are, | 4, 902 94 |
| Nett loss, | $ 21, 797 06 |

John L. Tindall having received a majority of votes, mr Speaker, therefore declared him duly elected president of the Bank of the State of Ala

The committee recommend that his Excellency the Governor, he requested to offer a reward of $2000 for the apprehension of Mosely Baker.

All of which is respectfully submitted. R. CHAPMAN,
JOHN B. HOGAN
J.W. BRIDGES
NATHAN COOK
B.B. BREEDIN,

Ordered, that said report lie on the table, and three hundred copies thereof be printed.

Mr Breedin introduced a joint resolution requiring the governor to offer a reward of two thousand dollars for the apprehension of Mosely Baker, which was read the first time, and the constitutional rule being suspended, was read a second and third time and passed. Ordered, that the title be as aforesaid, and the same be sent forthwith to the Senate for their concurrence.

Mr McRead, from the select committee to which was referred the petition of Anderson Berryman, reported a bill to be entitled an act to authorise Anderson Berryman to collect by law a reasonable compensation for his services as root doctor, which was read the first time, and the constitutional rule being suspended, was read a second time and ordered to a third reading.

Mr Ware introduced a bill to be entitled an act to distribute the fund arising from the sale of sixteenth sections, which was read the first time, and the constitutional rule being suspended, was read a second and third time and passed. Ordered, that the title be as aforesaid, and that the same be sent forthwith to the Senate for their concurrence.

The engrossed bill entitled an act making appropriations for the payment of certain claims against the State was read a third time. Mr Moffett moved to amend the bill by an additional section by way of engrossed ryder, which was adopted and the bill passed. Ordered, that the title be as aforesaid, and that the same be sent forthwith to the Senate for their concurrence.

Engrossed bills of the following titles: An act making appropriations for the year, 1833, an act for the relief of O.J. Williams; and joint resolutions, were severally read the third time and passed. Ordered, that their titles be as aforesaid, and that they be sent to the Senate for their concurrence.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly reported, a bill of the following title viz: An act to adopt, print, bind and distribute the new digest complied by John G. Aikin, esquire, and for other purposes.

The engrossed bill entitled an act to amend the several acts now in force in this State in relation to gaming, was read the third time and rejected.

Yeas 12; nays 38.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Beck Davis Graham Hollis Hudson of F. King McRea Oliver Reaves Rugely Walker and Ware.

Those who voted in the negative are messrs Speaker Breedin Brickell Brodnax Camp Carmack Carithers Chamberlain Creagh Drish Earle Fleming Fortson Herbert Houston of L. Houston of M. Hubbard Keener Lee Lockhart Lusk McAfee Massey Miree Moffett Musgrove Ormond Paul Rather Richardson Saunders Stewart Sumners Thompson Weissinger Williams Witherspoon and Young.

Joint Resolutions from the Senate in relation to a third judicial district were read the third time and passed. Ordered, that the title be as aforesaid , and that the clerk acquaint the Senate thereof.

Mr Hubbard introduced joint resolutions compensating the State treasurer for securing and disbursing the University funds, which were read the

first time, and the constitutional rule being suspended, were read a second and third time, considered as engrossed and passed. Ordered, that the title be as above, and that they sent to the Senate for their concurrence.

Mr Hubbard presented a report of the trustees of the State University. Ordered, that the same be laid on the table, and that one hundred copies thereof be printed. Ordered, that mr Porter have leave of absence for the remained of the session.

The bill to be entitled an act to repeal in part an act entitled an act for the suppression of vice and immorality, was read a second time and ordered to be engrossed for a third reading.

The bill for the relief of Matthew F. Good, was laid on the table.

The bill entitled an act to allow each county in this State a separate representation. Mr Young moved that the bill be indefinitely postponed, which was carried.

The bill from the Senate entitled an act to repeal in part an act therein mentioned, and for other purposes, was read the second time. Mr Hudson of F. moved that the bill be indefinitely postponed, which was carried. Yeas 42; nays 18.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Brickell Camp Carmack Carithers Cook Davis Earle Fleming Flournoy Goodrich Hall Hill Hollis Houston of M. Hubbard Hudson of F. Johnson King Lockhart Lusk McAfee McRea Massey Miree Morrisette Musgrove Norwood Oliver Ormond Rather Reaves Richardson Stewart Sumners Tarrant Thompson Walker Ware Weissinger Williams and Young.

Those who voted in the negative are messrs Beck Breedin Brodnax Chamberlain Creagh Graham Herbert Houston of L. Hudson of J. Keener Lee Moffett Paul Rhodes Ross Rugely Saunders and Wilson.

Mr Morrisette who voted in the majority, moved to reconsider the vote on the indefinite postponement, which was lost. Yeas 14; nays 42.

The yeas and nays being demanded, those who voted in the affirmative are Messrs Beck, Camp Chamberlain Creagh Herbert Houston of L. Hudson of J. McAfee Morrisette Paul Ross Rugely Saunders and Wilson.

Those who voted in the negative are messrs Speaker Breedin Brickell Brodnax Carmack Carithers Cook Davis Earle Fleming Fortson Goodrich Graham Hall Hill Hollis Houston of M. Hubbard Johnson Keener King Lee Lockhart Lusk Miree Musgrove Norwood Oliver Ormond Rather Reaves Rhodes Richardson Stewart Sumners Tarrant Thompson Walker Ware Weissinger Williams and Young.

And the House adjourned until this evening at three o'clock.

Evening Session, three o'clock.–The bill from the Senate entitled an act regulating the compensation of jailors for victualing of slaves confirmed in jail and for other purposes, was read the second time. Mr Rather moved to amend the bill by striking out the words "twenty-five," before the word cents, and inserting "thirty," which was carried. Mr Creagh moved to amend the bill striking out the word "one" before blanket, and insert the word "two" which was carried, the constitutional rule being suspended, the bill was read the third time and passed. Ordered, that the title be as above, and that the clerk acquaint the Senate thereof.

Mr Ormond from the judiciary committee to which was referred a bill to be entitled an act requiring security for costs in certain cases, reported the same inexpedient, in which the House concurred.

The same committee to whom was referred the bill form the Senate entitled an act requiring the governor to detail a court martial for certain purposes therein, specified, reported it inexpedient to pass the bill, in which report the House concurred.

The same committee, to whom was referred the bill from the Senate en-

titled an act to preclude from office certain persons therein named, reported it inexpedient to pass the bill. mr Williams moved that the bill be indefinitely postponed, which was lost. Yeas 24; nays 29.

The yeas and nays being demanded, those who voted in the affirmative are messrs, Speaker Breedin Brickell Brodnax Cook Davis Drish Herbert Houston of M. Hubbard Massey Miree Musgrove Ross Rather Reaves Rhodes Rugely Saunders Simmons Thompson Ward Ware and Williams.

Those who voted in the negative are messrs Beck Camp Carithers Chamberlain Creagh Fleming Fortson Goodrich Graham Hill Hudson of F. Johnson King Lockhart Lusk McRea Moffett Morrisette Norwood Ormond Rhodes Stewart Tarrant Walker Weissinger Wilson Witherspoon and Young. Mr Paul was excused from voting.

Mr Herbert moved to amend the bill by way of proviso, which was adopted, and the bill was read the third time and passed. Yeas 33; nays, 21.

The yeas and nays being demanded, those who voted in the affirmative, are Messrs Beck Carmack Carithers Chamberlain Creagh Drish Fleming Fortson Goodrich Graham Hill Houston of M. Hudson of F. King Lockart Lusk McRea Moffett Morrisette Norwood Ormond Rhodes Richardson Ross Rugely Saunders Stewart Tarrant Walker Weissinger Wilson Witherspoon and Young.

Those who voted in the negative are messrs Speaker Breedin Brickell Brodnax Camp Cook Davis Herbert Johnson Massey Miree Musgrove Oliver Rather Reaves Sumners Thompson Ward Ware and Wilson.

Ordered, that the title be as aforesaid, and that the clerk acquaint the Senate therewith.

The bill entitled an act to amend the several road laws of this State was indefinitely postponed.

A message from the Senate by mr Morton: mr Speaker: The Senate have passed a bill to be entitled an act requiring the governor to reside at the seat of government, in which they ask the concurrence of the House of Representatives.

The bill from the Senate entitled an act requiring the governor to reside at the seat of government, was read the first time, and the constitutional rule being suspended, was read a second and third time and passed. Yeas 32, nays 21.

The yeas and nays being demanded, those who voted in the affirmative are, messrs Speaker Beck Breedin Brickell Camp Carmack Chamberlain Creagh Davis Drish Fleming Graham Houston of L. Houston of M. Hudson of F. Johnson King Lee Moffett Musgrove Ormond Paul Rather Richardson Ross Saunders Stewart Tarrant Weissinger Williams Wilson and Witherspoon.

Those who voted in the negative are messrs Brodnax Carithers Fortson Goodrich Herbert Hill Lockhart McRea Massey Miree Morrisette Norwood Oliver Reaves Rhodes Rugely Sumners Thompson Walker Ware and Young.

Ordered, that the title of the bill be as aforesaid, and that the clerk acquaint the Senate thereof.

The bill from the Senate entitled an act to emancipate certain slaves, was read a second time. mr Herbert moved to amend the bill by way of proviso, which was adopted, and the constitutional rule being suspended, the bill was read a third time and passed. Ordered, that the title of the bill be as above, and that the clerk acquaint the Senate thereof.

Message from the Senate by mr Connor; mr Speaker: The Senate have passed engrossed joint resolutions from the House of Representatives, upon the subject of the protective policy and nullification. They have read three several times and passed joint resolutions which originated in the Senate on the subject of the protective policy and nullification, in which they ask the concurrence of the House of Representatives.

Joint Resolutions from the Senate relative to the protective system and nullification, were read the first time and ordered to lie on the table.

A message from the Senate by mr Connor : mr Speaker : The Senate have passed a bill from the House of Representatives, entitled an act to alter and establish the judicial circuits of this State.

Mr Carithers made the following report: The committee on enrolled bills, have examined and find correctly enrolled bills of the following titles, to wit:

An act to incorporate for a limited time the Crow Creek navigation company: an act amendatory of an act for the relief of the fire engine company, No. 2, of the city of Mobile, approved January 15, 1831; and an act to incorporate the Claysville Independent Blues of Jackson county.

The bill from the Senate entitled an act to authorise the laying out and

opening a certain road therein named, was read the second time, and the constitutional rule being suspended, was read a third time and passed. Ordered, that the title of the bill be as aforesaid, and that the clerk acquaint the Senate thereof.

The bill from the Senate entitled an act to compensate patrols for their services in the county of Madison was read a second time, and the constitutional rule being suspended, was read the third time and passed. Ordered, that the title of the bill be as aforesaid, and that the clerk acquaint the Senate thereof.

The bill to be entitled an act requiring justices of the peace to give security, was read the second time. mr Musgrove moved that the bill be indefinitely postponed, which was lost: yeas 20, nays 29.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Brodnax Camp Carmack Carithers Cook Creagh Drish Herbert Hubbard Johnson Miree Moffett Musgrove Ormond Thompson Walker Weissinger Witherspoon and Young.

Those who voted in the negative are messrs Beck Breedin Brickell Chamberlain Davis Fleming Fortson Goodrich Graham Houston of L. Houston of M. Hudson of F. King Lockhart Lusk Massey Morrisette Norwood Oliver Rather Richardson Ross Saunders Stewart Sumners Tarrant Ware Williams and Wilson.

Ordered, that the bill be engrossed for a third reading.

The bill entitled an act to incorporate the Maplesville light horse company, was read the second time, and the constitutional rule being suspended, was read a third time and passed. Ordered, that the title of the bill be as aforesaid, and that the same be sent to the Senate for their concurrence.

The bill from the Senate to authorise William Bonner, administrator of James Bonner, deceases, to make title to real estate, and the resolution from the Senate to permit the legislature to lay off the several judicial circuits on such manner as will best promote the interest and convenience of the State; and also, the bill for the relief of Nancy G. Marr, executrix of William M. Marr, was ordered to be laid on the table.

On motion of mt Hudson of F.; Resolved, that the two houses with the consent of the Senate, will assemble in the representative hall on Friday the 11th inst. at 12 o'clock, for the purpose of electing a judge of the 8th judicial circuit of this State, and a solicitor for the 6th judicial circuit.

On motion of mr Herbert, Resolved, that the Senate be informed that this House has going through all the business before them, and will be ready to adjourn sine die on the 11th instant.

Mr Ormond introduced a bill relative to the reported of the decisions of the supreme court, which was read the first time, and the constitutional rule being suspended, was read a second time and ordered to lie on the table.

And then the House adjourned until to morrow morning at nine o'clock.

Friday, January 11th, 1833–A message was received from the Governor, by James I. Thornton, which is as follows: mr Speaker: I am requested by the Governor to inform your honorable body, that he did on the 8th, 9th, and 10th instant, approve and sign the following bills, viz: An act to authorise the election of certain officers therein named, an act regulating the term of service of State printer; an act providing for the payment of petit jurors in the county of Jackson; an act to exempt certain persons therein named from the performance of military and other duties; an act to establish a certain ferry therein named; an act to change the time of holding the county courts of Morgan and Tuscaloosa counties; an act to authorise a lottery for the benefit of Bellefonte academy. and for other purposes; an act to provide for the transfer of stock issued by the State,

and for the renewal of lost certificates thereof; an act authorising certain persons therein named to clear out and turnpike a road from the Wetumpka

falls to Syllacogga; an act to require a redivision of the city of Mobile, into wards, and to regulate the discharge of ballots; an act to incoprorate the Montgomery hall company; an act providing for the maintenance and education of certain persons therein named; an act to provide for the election of officers for the county of Pike; and, an act to establish a road from the ferry at Montgomery, by way of Kingston in the county of Autauga, to Samuel Bogle's in Bibb county; all of which originated in the House of Representatives.

A message was received from the Senate by mr Morton; mr Speaker: The Senate have passed the following bills, in which they ask the concurrence of the House of Representatives, to-wit: An act to provide for holding an extra election for representatives to the congress of the United States; an act for the benefit of Richard Inge, executor of John J. Inge, deceased; an act to authorise the establishment of a ferry on the Tombecbee river; an act to declare certain water courses, public highways, and, an act to explain in part and amend an act concerning the assignment of bonds, notes, &c, and for other purposes, passed December 18th, 1832. They have passed the following bills from the House of Representative, to-wit: An act concerning attachments; an act to provide for the settlements of the estates of deceased persons, in certain cases therein named; an act to authorise the commissioners of the sixteenth section, fourth township, tenth range, west, to sell any part of said section; an act to divorce certain persons therein named, an act to authorise the judges of the supreme court to hold adjourned terms: joint memorial to the congress of th United States; an act to exempt certain property from execution; an act to regulate the weighing of cotton in the city of Mobile, and for other purposes, an act to provide for the examination of the State bank and its several branches: an act to provide for the appropriation of the funds arising from the sales of sixteenth sections, the last four of which have been amended, as by reference thereto will appear; in which they ask the concurrence of the House of Representatives. They disagree to the amendment of the House of Representatives, to the first section of a bill to be entitled an act regulating the compensation of jailors for victualing slaves confined in prison, and for other purposes, by striking out "25" and inserting "30;" and concur in the amendment made to the second section of the same by striking out "one" and inserting "two."

The bill from the Senate to provide for holding an extra election for representatives in the congress of the United States, was read the first time, and the constitutional rule being suspended, was read a second and third time and passed. Ordered, that the title be as aforesaid, and that the clerk acquaint the Senate thereof.

Bills from the Senate of the following titles, to-wit: An act to declare certain water courses public highways; an act for the benefit of Richard Inge, executor of John J. Inge, deceased; and an act to authorise the establishment of a ferry on the Tombecbee river, were severally read the first time, and the constitutional rule being suspended, were each read the second and third time and passed. Ordered, that the titles be as aforesaid, and that the clerk acquaint the Senate therewith.

The bill from the Senate entitled an act to organize the county of Sumpter, was read the first time, and the constitutional rule being suspended received a second reading forthwith. Ordered, that the same be referred to a select committee, consisting of messrs Moffett, Fortson, Witherspoon and Hudson of F.

Ordered, that mr Beck be added to the committee on enrolled bills.

Ordered, that the House disagree to the amendments made by the Senate to the bill entitled an act to appoint commissioners to examine the bank of the State of Alabama and its several branches. Ordered, that the clerk acquaint the Senate thereof.

Mr Tarrant made the following report: The committee to whom was referred the petition of a number of citizens of Irvington, in Pike county, have had the same under consideration, and have instructed me to report. that have they received information on which they can rely that no person living on any of the territory ceded by the Creeks, to the United States who complies with the law extending the jurisdiction of the State over said territory, and with the treaty made and concluded at Washington on the 4th day of April 1832, between the president of the United States, and the chiefs of the Creeks, is in any danger of being removed or dispossessed of their improvements by martial laws, and that it is inexpedient to legislate further on the subject; in which report th House concurred.

Mr Ormond introduced a bill entitled an act in relation to the printing of the public laws, which was read the first time. Mr Hudson of F. moved to postpone the bill indefinitely, which was carried.

Message from the Senate by mr Connor: mr Speaker: The Senate have passed a bill from the house of representatives, entitled an act for the organixation of certain counties therein named, and have amended the same as shewn in the bill.

Ordered, that the house disagree to the amendments of the senate to the bill for the organization of certain counties therein named, in which a proviso and the names of John Lawler and Andrew J. Crawford, are added. Ordered, that the house concur in the other amendments made by the senate to said bill. Ordered, that the clerk acquaint the Senate thereof.

Message from the Senate by mr Connor: mr Speaker: The Senate have passed a bill entitled an act to organize the county of Sumpter, and a bill to be entitled an act to change the time of holding the county court of Greene county; in which they ask the concurrence of the House of Representatives.

Mr Keener introduced a bill to appoint the time of holding the county court of Barbour county, which was read and the constitutional rule being suspended, was read a second and third time forthwith, considered as engrossed and passed. Ordered, that the title be as above, and that the bill be sent to the senate for their concurrence.

The bill from the Senate entitled ana ct to change the time of holding the county and commissioners courts of Greene county, was read the first time, and the constitutional rule being suspended, was read a second and third time forthwith, considered as engrossed and passed. Ordered, that the clerk acquaint the Senate thereof.

Mr Carithers from the committee on enrolled bills, made the following report, viz: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles: An act for the reduction of the taxes, an act to authorize Thomas Brown to enter a certain tract of land therein named; and , a joint memorial of the Senate and house of representatives of the State of Alabama, praying the reduction of the price of public lands heretofore offered for sale.

Ordered, that the House recede from their amendment to the bill from the senate entitled an act for the compensation of jailors, for victualing slaves confined in jail, and for other purposes. Ordered, that the clerk acquaint the senate thereof.

A message was received from the Senate by mr Connor, mr Speaker

The senate have passed a bill from the house entitled an act making appropriations for certain claims against the State, and have amended the same as herewith shewn. Ordered, that the house concur in the amendment made by the senate to said bill.

Mr Musgrove introduced a bill to be entitled an act to organize the 14th regiment of Alabama militia in Blount county, which was read the first time, and the constitutional provision being further dispensed, with it was considered as engrossed and read the third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Ormond called up the bill entitled an act relative to the reporter of the decisions of the supreme court, and the rule requiring bills to be read on three several days being dispensed with, it was considered as engrossed and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the senate for concurrence.

The bill from the senate entitled an act to explain in part and amend an act entitled an act concerning the assignment of bonds, notes, &c. and for other purposes, passed December 18th, 1812, was read the first time, and the constitutional provision being dispensed with, it was read the second time forthwith and referred to a select committee, whereupon messrs Creagh Hudson of F. and Moffett, were appointed said committee.

Mr Carmack introduced a bill to be entitled an act to authorize Matthias Richardson to relinquish to the commissioners of the sixteenth section, township one, range eight, lot number eleven, in the village of Lexington which was read the first time, and the constitutional provision being dispenses with, it was read the second time forthwith, and ordered to be engrossed for a third reading.

A message from the senate by mr Connor: mr Speaker: The senate concur in the amendments of the house of representatives, to the bill entitled an act to authorize the Tennessee canal commissioners to change the plan of improvement on said river, and to direct the receiver of the land office at Courtland, where to make his deposits. The senate recede from their amendments to the bill organizing the counties therein named, so far as related to the amendment adding the names of Crawford Upton and others, in the sixth line of the first section, they insist on their proviso. They have passed a bill from the house appointing the time of holding the county courts of Barbour.

Ordered, that the house recede from their disagreement to the amendment made by the senate to the bill to to establish certain counties therein named.

A message was received from the senate by mr Connor: mr Speaker: The senate have adopted the following resolution: Resolved, that a committee be appointed to act with such committee as may be appointed by the house to wait upon his Excellency the Governor, and inform him that the two houses have finished the business before them, and will be ready to adjourn sine die on Saturday at 12 o'clock, if he has not further communication, and have appointed messrs Bridges, Hogan, and McVay, said committee.

Whereupon messrs Breedin, Camp, and Houston of L. were appointed said committee.

Mr Speaker: The senate adhere to their amendment to the joint resolutions to keep and preserve the furniture of both houses of the general assembly, and for other purposes, and ask a committee of conference, and have appointed messrs Hogan, McVay and Barclay said committee. Whereupon messrs Wilson, Creagh, and Herbert were appointed.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled: An act to divide and establish the judicial circuits of this State.

Mr Creagh made the following report: The select committee to whom was referred a bill to be entitled an act to explain in part and amend an act entitled an act concerning the assignment of bonds, notes, &c. and for other purposes, passed December 18th, 1812, have had the same under consideration, and have instructed me to report, that they recommend the second section in said bill to be stricken out: in which the report the house concurred.

Mr Tarrant introduced a bill to be entitled an act establishing the times of holding courts therein named, and in the counties therein named, which was read the first time, and the constitutional provision being suspended, it was read the second time forthwith, and the rule being further dispensed with, it was considered as engrossed and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the senate for their concurrence.

A message was received from the senate by mr Connor: mr Speaker: The senate have passed bills from the house of representatives, of the following titles; An act for the relief of the sheriff of St. Clair county; an act to divide for the first regiment of Alabama militia; and, an act prescribing the duties of coroners.

And then the House adjourned until this evening three o'clock.

Evening Session, three o'clock–A message was received from the Governor by James I. Thornton: mr Speaker: I am requested by the Governor to inform your honorable body, that he did on the 10th and 11th instant, approve and sign the following bills: An act to require jurors to be drawn in certain cases; an act to incorporate the light horse in the county of Autauga; an act for the benefit of Cornelius Cox of Bibb county; an act to incorporate the Washington Lafayette academy in the town of Tuscaloosa; an act to authorise a lottery for the benefit of building an academy at or near Statesville, in the county of Autauga, an act to repeal in part and amend an act to regulate the rate of interest, passed December 17 1819: an act to authorise the judge of the county court of Franklin county, and commissioners of roads and revenue, to designate the boundary and hands, for each overseer; and, an act to alter and establish the judicial circuits of this State, all of which originated in the house of representatives.

Mr Moffett, from the select committee to whom was referred the bill from the Senate entitled an act to organize the county of Sumpter, reported sundry amendments which were concurred in. The bill passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Cook introduced a bill to be entitled an act to divorce certain persons therein named, which was read the first time, and the rule requiring bills to be read on three several days being dispensed with, it was read the second time forthwith, considered as engrossed, read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the same be sent to the Senate for their concurrence.

Mr Wilson made the following report: The committee of conference to whom was referred joint resolutions providing for taking care of the furniture of the State capitol, have agreed and recommend the adoption of the first amendment made by the Senate, and have added to the last resolution, "and ten dollars to the door keeper of the Senate;" and have amended the last amendment of the Senate by striking out the name of

James Rather, and inserting in lieu thereof the words “the respective door-keepers of each House shall”; in all which they ask the concurrence of the House: in which report the House concurred.

A message was received from the Senate by mr Connor: mr Speaker: The Senate concur in the resolution of the House of Representatives to go into election of a judge of the eighth judicial circuit, and a solicitor of the sixth circuit, and have amended the same by striking out “twelve o’clock,” and inserting “this evening at four o’clock,” in which they ask the concurrence of the House of Representatives. In which amendment the House concurred. Ordered, that the House concur in the amendments made by the Senate to the bill entitled an act to discontinue and establish certain election precincts therein named.

A message was received from the Senate by mr Connor: mr Speaker: The Senate have read three several times and passed the bills of the following titles, to wit, which originate in the House of Representatives: An act organizing the fourteenth regiment of the Alabama militia in the county of Blount: joint resolutions compensating the treasurer for receiving and disbursing the University funds for the year 1831 and 1832; an act making appropriations for the year 1833, an act to discontinue and establish certain election precincts therein named. They have passed a bill which originated in the Senate, entitled an act to discontinue and establish certain election precincts therein named ; in which they ask the concurrence of the House of Representative.

The bill making appropriations for the year 1833, being under consideration, the question was to concur in the amendments made by the Senate to said bill by adding thereto, section No. 6, an additional allowance to land commissioners, and lost. Yeas 6; nays 44.

The yeas and nays being demanded, those who voted in the affirmative are messrs Creagh Hudson of F. Oliver Saunders’ Williams and Ware.

Those who voted in the negative, are Messrs Speaker Breedin Brickell Brodnax Camp Carmack Chamberlain Cook Earle Fleming Flournoy Fortson Graham Herbert Hill Hollis Houston of L. Houston of M. Hudson of J. Johnson Keener Lee Lockhart Lusk Massey Moffett Morrisette Musgrove Norwood Ormond Rather Reaves Richardson Ross Rugely Simmons Stewart Sumners Tarrant Walker Weissinger Wilson Witherspoon and Young.

A message was received from the Senate by mr Connor; mr Speaker: The Senate have read three several time and passed bills from the House of Representatives, entitled an act to incorporate the Maplesville light horse company; an act explanatory of the liability of persons to work on roads; an act to repeal in part an act amendatory to the several acts concerning witnesses, approved January 3, 1832, so far as respects the county of Madison. The Senate have passed joint resolutions in relation to the purchasing of chairs and chandeliers for the two Halls of the capitol.

On motion of mr Herbert: Resolved, That the Senate be informed that the House of Representatives are ready to go into the election of a judge of the eighth and solicitor for the sixth judicial circuit in this State.

A message was received from the Senate by mr Connor: The Senate have passed a bill of the following title: An act for the relied of Memorable W. Creagh, and others, in which they ask the concurrence of the House of Representatives.

The Senate having repaired to the Hall of the House of Representatives and taken their seats, the two Houses then proceeded to the election of a judge of the eighth judicial circuit. Francis Bugbee, John W. Paul and Eli Shortridge being in nomination.

Those who voted for mr Bugbee are, messrs Abercrombie Coopwood Chapman Dupuy and Hill, of the Senate-messrs Carmack Carithers Earle Hill Johnson Massey Rather Reaves Rugely Tarrant Ware Wilson and Young.

Those who voted for mr Paul are, messrs Hemphill Irwin of H. Morton Phillips and Walthall of the Senate–messrs Speaker Breedin Brickell Brodnax Camp Chamberlain Cook Fleming Fortson Hall Herbert Hollis Houston of M. Hubbard Hudson of F. Keener Lee McAfee Miree Morrisette Oliver Ormond Richardson Ross Saunders Simmons and Stewart.

Those who voted for mr Shortridge are, messrs President Ash Barclay Bridges Edmondson Erwin of G. Hogan McVay Pickett Smith and Vining, of the Senate–messrs Beck Creagh Drish Flournoy Goodrich Graham Houston of L. Hudson of J. King Lockhart Lusk Moffett Musgrove Norwood Sumners Thompson Walker Weissinher Williams and Witherspoon.

No one of the candidates having received a majority of the votes, the two Houses proceeded again to the election.

Those who voted for mr Bugbee are, messrs Abercrombie Chapman Coopwood, and Hill of the Senate–messrs Carmack Carithers Earle Hill Johnson Rugely Tarrant Ware Wilson and Young.

Those who voted for mr Paul are, messrs Hemphill Irwin of H. Morton Phillips and Walthall, of the Senate–messrs Speaker Breedin Brickell Brodnax Camp Chamberlain Cook Fleming Fortson Hall Herbert Hollis Houston of M. Hubbard Hudson of F. Keener Lee McAfee Miree Morrisette Oliver Ormond Rather Richardson Ross Saunders Simmons Stewart.

Those who voted for mr Shortridge are, messrs President, Ash Barclay Bridges Dupuy Edmondson Erwin of G. Hogan McVay Pickett Smith and Vining, of the Senate. — messrs Beck Creagh Drish Flournoy Goodrich Graham Houston of L. Hudson of J. King Lockhart Lusk Massey Moffett Musgrove Norwood Reaves Sumners Thompson Walker Weissinger Williams and Witherspoon.

No one of the candidates having received a majority of the votes, the two Houses proceeded again to the election.

Those who voted for Mr Bugbee are, Messrs Chapman and Coopwood, of the Senate.–Messrs Carithers Earle Tarrant and Wilson.

Those who vote for mr Paul are, messrs Abercrombie Hemphill Irwin of H. Morton Phillips and Walthall, of the Senate. Messrs Speaker Breedin Brickell Brodnax Camp Chamberlain Cook Fleming Fortson Hall Herbert Hollis Houston of M. Hubbard Hudson of F. Keener Lee M'Afee McRea Miree Morrisette Oliver Ormond Rather Reaves Richardson Ross Rugely Saunders Simmons Stewart Ward and Ware.

Those who voted for mr Shortridge are, messrs President Ash Bridges Dupuy Edmondson Erwin of G. Hill Hogan McVay Pickett Smith and Vining, of the Senate. — messrs Beck Carmack Creagh Drish Flournoy Goodrich Graham Hill Houston of L. Hudson of J. Keener King Lockhart Lusk Massey Moffett Musgrove Norwood Sumners Thompson Walker Weissinger Williams Witherspoon and Young.

No one of the candidates having received a majority of the votes, the two Houses proceeded again to the election.

Those who voted for Mr Bugbee are, Messrs Chapman and Coopwood, of the Senate. — Messrs Earle Tarrant and Wilson.

Those who voted for Mr Paul are, Messrs Abercrombie Hemphill Irwin of H. Morton Phillips and Walthall, of the Senate. Messrs Speaker Breedin Brickell Brodnax Camp Chamberlain Cook Fleming Fortson Hall Herbert Hollis Houston of M. Hubbard Hudson of F. Keener Lee M'Afee McRea Miree Morrisette Oliver Ormond Rather Reaves Richardson Ross Rugely Saunders Simmons Stewart Ward and Ware.

Those who voted for mr Shortridge are, messrs President Ash Barclay Bridges Dupuy Edmondson Erwin of G. Hill Hogan McVay Pickett Smith and Vining of the Senate–messrs Beck Carmack Carithers Creagh Drish Flournoy Goodrich Graham Hill Houston of L. Hudson of J. Johnson King Lockhart Lusk Massey Moffett Musgrove Norwood Sumners Thompson Walker Weissinger Williams Witherspoon and Young.

No one of the candidates having received a majority of the votes, the two Houses proceeded again to the election.

Mr Coopwood voted for Mr Bugbee, and also messrs Earle Tarrant and Wilson.

Those who voted for mr Paul, are messrs Abercrombie Hemphill Erwin of H. Morton Phillips and Walthall, of the Senate. Messrs Speaker Breedin Brickell Brodnax Camp Chamberlain Cook Fleming Fortson Hall Herbert Hollis Houston of M. Hubbard Hudson of F. Keener Lee McAfee McRea Miree Morrisette Oliver Ormond Rather Reaves Richardson Ross Rugely Saunders Simmons Stewart Ward and Ware.

Those who voted for mr Shortridge are messrs President Ash Barclay Bridges Chapman Dupuy Edmondson Erwin of G. Hill Hogan McVay Pickett Smith and Vining, of the Senate. Messrs Beck Carmack Carithers Creagh Drish Flournoy Goodrich Graham Hill Houston of L. Hudson of J. Johnson King Lockhart Lusk Massey Moffett Musgrove Norwood Sumners Thompson Walker Weissinger Williams Witherspoon and Young.

No one of the candidates having received a majority of votes, the two Houses proceeded again to the election.

Those who voted for Mr Bugbee are mr Coopwood, of the Senate. messrs Earle Fleming Tarrant and Wilson.

Those who voted for mr Paul are, messrs Abercrombie Hemphill Irwin of H. Morton Phillips and Walthall, of the Senate–messrs Speaker Breedin Brickell Brodnax Camp Chamberlain Cook Fortson Hall Herbert Hollis Houston of M. Hubbard Hudson of F. Keener Lee McAfee McRea Miree Morrisette Oliver Ormond Rather Reaves Richardson Ross Rugely Saunders Simmons Stewart Ward and Ware.

Those who voted for mr Shortridge are messrs President Ash Barclay Bridges Chapman Dupuy Edmondson Erwin of G. Hill Hogan McVay Pickett Smith and Vining og the Senate–messrs Beck Carmack Carithers Creagh Drish Flournoy Goodrich Graham Hill Houston of L. Hudson of J. Johnson King Lockhart Lusk Massey Moffett Musgrove Norwood Sumners Thompson Walker Weissinger Williams Witherspoon and Young.

Mr Bugbee's name being withdrawn th two Houses proceeded again to the election.

Those who voted for Mr Paul, are Messrs Abercrombie Coopwood Hemphill Irwin of H. Morton Phillips and Walthall, of the Senate. Messrs Speaker Breedin Brickell Brodnaz Camp Chamberlain Cook Earle Fleming Fortson Hall Herbert Hollis Houston of M. Hubbard Hudson of F. Keener Lee McAfee McRea Miree Morrisette Oliver Ormond Rather Reaves Richardson Ross Rugely Saunders Simmons Stewart Ward Ware and Wilson.

Those who voted for mr Shortridge, are messrs President Ash Barclay Bridges Chapman Dupuy Edmondson Erwin of G. Hill Hogan M'Vay Pickett Smith and Vining, of the Senate–messrs Beck Carmack Carithers Creagh Drish Flournoy Goodrich Graham Hill Houston of L. Hudson of of J. Johnson King Lockhart Lusk Massey Moffett Musgrove Norwood Sumners Thompson Walker Weissinger Witherspoon and Young.

John W. Paul having received a majority of votes, mr Speaker there fore declared him duly elected judge of the eighth judicial circuit of the State of Alabama.

The two Houses then proceeded to the election of solicitor of the sixth judicial circuit. Benjamin S. Launsdale, Samuel S. Hinton and Charles Lewis being in nomination.

Those who voted for Mr Landsdale, are Messrs Abercrombie Coopwood Hemphill Irwin of H. Pickett and Walthall of the Senate. Messrs Speaker Breedin Brodnax Cook Hall Herbert Hubbard Hudson of F. Keener Lee Miree Oliver Rather Reaves Ross Rugely Simmons Thompson Ward and Ware.

Those who voted for mr Hinton, are messrs Ash and Erwin of G. of the Senate, messrs Camp Earle Graham McAfee Massey Morrisette Richardson and Wilson.

Those who voted for mr Lewis , are messrs President Barclay Bridges Chapman Dupuy Edmondson Hill Hogan McVay Morton Phillips Smith and Vining, of the Senate, messrs Beck Brickell Carmack Carithers Chamberlain Creagh Earle Fleming Fortson Goodrich Hill Houston of L. Houston of M. Hudson of J. Johnson King Lockhart Lusk Moffett Musgrove Norwood Ormond Saunders Stewart Sumners Tarrant Walker Weissinger Williams and Witherspoon.

Mr Lewis having received a majority of voted, mr Speaker therefore declared him duly elected solicitor of the sixth judicial circuit for the ensuing four years.

The Senate then withdrew, and the House adjourned until to-morrow morning nine o'clock.

Saturday, January 12. Ordered, that messrs Brickell, Wilson and Breedin be added to the committee on enrolled bills.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly bills of the following titles,

to wit: An act making appropriations for certain claims against the State; an act to authorize the commissioners of the sixteenth section, fourth township, tenth range west, to sell any part of said section; an act to regulate the weighing of cotton in the city of Mobile, and for other purposes.

Mr Miree made the following report: The committee on enrolled bills have examined and find correctly enrolled an act concerning attachments

to be in the words in which it passed the House, and ask the House to dispense with enrolling the same, as it draws up in neat order, an act for the relief of Robert J. Ware; an act to amend the militia law under the head of courts martial; joint resolutions in relation to procuring the journals of the Senate and House of Representatives of the United States; the last three of which originated in the Senate.

A message was received from the Senate by mr Connor: mr Speaker: The Senate have passed bills of the following titles: An act to provide for the transmission of certain acts therein named; an act to divorce certain persons therein named; an act to change the time of holding the supreme court. The Senate have passed bills from the House of Representatives of the following titles: An act relative to the reported of the decisions of the supreme court; an act establishing the time of holding the courts therein named. The Senate concur in the report and amendments made by the committee of conference on the joint resolution to keep and preserve the furniture of both Houses of the General Assembly, and for other purposes. The Senate disagree to the amendment made by the House of Representatives, to the bill entitled an act to fix the salary of the president of the Bank of State of Alabama, and for other purposes.

Joint resolutions from the Senate providing for the purchase of chairs and chandeliers for the use of both Halls of the State capitol, was read the first time, and the constitutional provision being suspended, it was read a second and third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

Mr Fleming, from the military committee to whom was referred the bill entitled an act to organize the militia in certain counties therein named, reported the same as inexpedient at this time; in which report the House concurred.

Mr Miree made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to wit: An act to authorize the judges of the supreme court to hold adjourned terms; an act to divorce certain persons therein named: joint resolutions on the protective system of the United States, the tariff and nullification; all of which originated in the House of Representatives.

Ordered, that the House concur in the amendment made by the Senate to the bill for the relief of Memorable W. Creagh and Chester Root.

Mr Wilson made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to wit: An act to divide the first regiment of Alabama militia; joint memorial to the Congress of the United States; an act for the relief of the sheriff of the county of St. Clair; an act organizing the 14th regiment of Alabama militia in the county of Blount; an act better to secure the funds of the University of Alabama; an act to keep open the road from Childress' old place to Oldtown, on the Black Warrior; an act to compensate patrols for their services in the county of Madison; an act to provide for holding an extra session for representatives to the Congress if the United States.

Mr Breedin made the following report: The joint committee raised by the Senate and House of Representatives, for the purpose of waiting on his excellency the Governor to inform him that the General Assembly would be ready to adjourn on the 12th January at noon, if he had not further communication to make, have performed the said duty, and ask to report that the governor has not further communication to make. That there are yet some bills to sign; which have not been take to him, but that when

they shall have been approved he will notify the two Houses, through the secretary of state.

Mr Rather offered the following resolution: Resolved, That the thanks of this House be presented to the honorable Samuel W. Oliver, for the able, impartial and dignified manner in which he has presided over its deliberations, and performed the arduous and important duties of the chair during the present session of the legislature; which resolution was unanimously adopted.

Mr Wilson made the following report: The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, to wit: An act to declare certain water courses in Talladega county, public highways; an act for the benefit of Richard Inge, executor of John J. Inge, deceased, an act to explain and amend an act entitled an act concerning the assignment of bonds, notes & c. and for other purposes; an act to authorise the establishment of a ferry on the Tombeckbee river, an act to change the time of holding the county and commissioners courts of Greene county; and an act to regulate the compensation of jailors, for victualing slaves confined in jail, and for other purposes.

A message from the Senate by mr Connor: mr Speaker: The Senate receded from their amendments so far as regards the sixth section of an act making appropriations for the year 1833. The bill from the House of Representatives for the relief of purchasers of sixteen sections, the bill from the Senate entitled an act to provide for the transmission of certain acts therein mention, was read the first time, and the constitutional provision being suspended, it was read the second and third time forthwith and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the Senate therewith.

The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles, to wit: An act to provide for the settlement of the estates of deceased persons in certain cases therein named, an act relative to the reporter of the decisions of the supreme court; an act to repeal an act amendatory to the several acts concerning witnesses, approved January 3, 1832, so far as respects the county of Madison ; an act to incorporate the Maplesville light horse company; an act to appoint the time of holding the county court in the county of Barbour ; an act to provide for the appropriation of the nett proceeds of the funds arising from the sales of the sixteenth sections; an act for the organization of certain counties therein named, an act to discontinue and establish certain election precincts therein specified; an act explaining the liability of persons to work on roads, an act to exempt certain property from execution; joint resolution compensating the state treasurer for receiving and disbursing the funds of the University for the 1831 and 1832.

The bill from the senate entitled an act to change the time of holding the supreme court, was read the first time, and the question being put, shall this bill be read a second time, it was determined in the negative.

A message was received from the senate by mr Connor: mr Speaker; The senate have passed a bill from the house of representatives entitled an act to repeal an act allowing two constables to beat number six, in the 17th regiment of Alabama militia.

The undersigned who voted against the passage of sundry resolutions on the subject of the tariff and nullification, avail themselves of the privilege secured by the constitution, of recording their reasons on the journals of the House. The resolutions appear to be intended for two purposes; first, to condemn South Carolina, secondly, to sustain the tariff of 1832.

We believe that the tariff is unconstitutional, and that South Carolina has

cause to be dissatisfied with the oppression of her citizens by the congress of the United States; That the citizens of Alabama are also oppressed by the same burdens; and although South Carolina may have mistaken her remedy, yet every attempt at this time to take the part of congress in its unauthorized oppressions, will only serve to strengthen the arm of the general government, already too strong for the people and the states, and would induce the majority of congress, to view with contempt the dissatisfactions of our people.

If the tariff is unconstitutional and oppressive, as all the southern states have alleged, it becomes so far from the enormity or inequality of its burdens. The principal grounds of objection, (we are satisfied) arises from the great inequality of burdens imposed by congress, whereby the people of the northern states are exempted from the payment of an equal portion of taxes.

The tariff of 1832, greatly increased that inequality, and if continued must serve to make rich the richer, and the poor more miserable, and is in out opinion more at war with the spirit of our institutions, than the tariff of 1828.

For these and other reasons, the undersigned voted against all the resolutions except the one declaring the tariff unconstitutional.

DAVID HUBBARD LAWSON J. KEENER
J.B. DEVEREUX, P.N. WILSON
Signed N. COKER ROBERT BRODNAX
W.R. ROSS, SAM'L S. SIMMONS

I voted against the resolutions for the above and other reasons.
JESSE T. REAVES.

A message was received from the senate by mr Connor: mr Speaker: The senate recede from their disagreement to the amendment of the house of representatives, to an act to amend the charter of the bank of the state of Alabama. They have passed a bill from the house of representatives to provide for the examination of the bank of the state of Alabama and its branches. They concur in the amendments made to the bill to organize the county of Sumpter. They have passed a bill from the house of representatives, to provide for taking depositions of judges of the circuit and supreme courts, for the state of Alabama, and other purposes therein named.

Mr Perkins called up the bill from the senate entitled an act to authorise William Bonner, administrator of James Bonner, senior, deceased, to make title to real estate: the bill was read the third time, the question was, shall this bill pass? and determined in the negative.

Mr Miree made the following report: The committee on enrolled bills have examined and find correctly enrolled: An act for the relief of Memorable W. Creagh, Chester Root, John Taylor, John Coffee, William R. King and John C. Perry., which originated in the house of representatives.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles, viz: An act to preclude from office certain persons therein named; joint resolutions in relation to a third judicial district; joint resolutions in relation to the boundary line between this state and the state of Georgia; an act to emancipate certain slaves therein named: an act to authorise the laying out and opening a certain road therein named ; an act requiring te Governor to reside at the seat of government ; an act to authorise the levying of an additional county tax for the county of Pickens; and an act to authorise the Tennessee canal commissioners to alter the plan of improvement on that river, and to direct the receiver of the land office at

Courtland where to make his deposits.

A message was received from the Governor by James I. Thornton, which is as follows: mr Speaker: I am requested by the Governor to inform your honorable body, that he did on the 10th and 11th instant, approve and sign the following bills, viz: Joint memorial of the senate and house of representatives of the state of Alabama in general assembly convened, praying a reduction on the price of public lands heretofore offered for sale; an act authorizing Thomas Brown to enter a certain tract of land therein named; an act for the reduction of the taxes; an act to incorporate Pendleton academy in the town of Coffeeville, county of Clarke; an act to revise, amend, amplify and repeal in part certain acts contained in the new digest of this state; an act to organize the county of Barbour and order new purposes; an act for the relief of Samuel G. Cloud; an act to provide for the appointment of commissioners without this state to take testimony & c; an act to provide for taking the census for the year 1833; an act to incorporate the Claysville independent blues of Jackson county; and, an act to incorporate for a limited time, the Crow creek navigation company; all of which originated in the house of representatives.

The engrossed bill entitled an act to authorize Matthias Richardson to relinquish lot number eleven to the commissioners of the sixteenth section of township one, range eight, west, was read the third time and passed.-- Ordered, that the title be as aforesaid. Ordered, that the same be sent to the senate for their concurrence.

The bill from the senate to discontinue and establish certain election precincts therein named, was read the second time. Mr Rather moved to amend the bill by striking out the 5th, 6th and 8th, sections, which was carried, and the rule being further dispensed with, it was read the third time forthwith and passed. Ordered, that the title be as aforesaid, and that the clerk acquaint the senate thereof.

A message was received from the senate by mr Connor; mr Speaker: The senate adhere to their disagreement to the amendment of the house to the bill fixing the salary of the president of the bank of the state of Alabama, and ask a committee of conference; and have appointed messrs Hogan Chapman, and Phillips a committee on the part of the senate–Whereupon messrs Wilson, Oliver and Houston of L. were appointed a committee of conference on the part of the house.

Mr Wilson made the following report: The committee of conference on the bill to fix the salary of the president of the bank of the state of Alabama and for other purposes, have agreed and recommend the following amendment: Strike out of the salary of the president in the first section, $1200, and insert $1000, and recommend the passage of the bill- The bill was read the third time and passed. Ordered, that the title be as aforesaid. Ordered, that the clerk acquaint the senate thereof.

A message from the senate by Mr Connor: mr Speaker: The senate have passed joint resolutions requiring the Governor to offer a reward for Mosely Baker, of $2000, and have amended the same by striking out $2000, and inserting the sum of $500 in lieu thereof. Mr Morrisette moved that the resolution be indefinitely postponed, which was carried.

Mr Carithers made the following report: The committee on enrolled bills have examined and find correctly enrolled: An act establishing the times of holding the courts therein named; and, joint resolutions in relation to the purchase of chairs and chandeliers for the use of the state capitol.

A message was received from the senate by mr Connor; mr Speaker: The senate have passed recommendations to the president and congress, to

the state of South Carolina, and to the different states of the Union; which they gave amended as herewith shewn: in which they ask the concurrence of the house of representatives.

Mr Williams moved that the house concur in the amendments made by the senate, to said resolutions, mr Williams moved the previous question, and the call was sustained. The main question was then put, viz: will the house concur in the amendments made by the senate to the resolutions, and carried: yeas 38, nays 14.

The yeas and nays being demanded, those who voted in the affirmative are messrs Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Earle Fleming Flournoy Goodrich Graham Hall Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson King Lockhart Lusk Massey Moffett Musgrove Norwood Ormond Perkins Rather Richardson Stewart Sumners Tarrant Thompson Weissinger Williams Witherpsoon and Young..

Those who voted in the negative are messrs Speaker Brodnax Drish Herbert Hubbard Keener Lee Miree Oliver Ross Rugely Simmons Ware and Wilson.

A message was received from the senate by mr Connor, mr Speaker; The senate have passed bills from the house of representatives, of the following titles, to-wit: An act to authorize Matthias Richardson to relinquish lot number eleven, to the commissioners of the sixteenth section, township one, range number eight, west; an act to distribute the funds arising from the sales of sixteenth sections.

The senate concur in the amendments of the house to the bill to establish and discontinue certain election precincts.

Mr Earle made the following report: The committee on enrolled bills have examined and find correctly enrolled, bills of the following titles, viz: An act to prescribe the duties of coroners; and, joint resolutions to keep and preserve all the furniture of both houses of the general assembly.

A message was received from the senate by mr Connor: mr Speaker: The senate have passed a bill from the house of representatives, entitles an act fo the relief of O.J. Williams.

Mr Oliver made the following report: The select committee to whom was referred the Governor's message, transmitting the several resolutions of the state of Georgia, in relation to the calling of a federal convention to settle various disputed powers: And also, a preamble and resolutions denying the right of the general government to make internal improvements, with resolutions from the state of Pennsylvania, relative to the union of the states and the constitution of the United States, have had the same under consideration, and have directed me to report the following preamble and resolutions: Your committee deem it unnecessary to refer to the short period allowed to consider fully the subjects before them. Sentiments and doctrines too important to escape the most casual observance have been asserted in the resolutions from the state of Pennsylvania, requiring the prompt and decided disapprobation of the state of Alabama; Those resolutions deny the right of a state in any case to secede from the Union, and declare that every such attempt would justify and require the use of constitutional means to suppress it: They deny the right of a state to protect its citizens from the strong arm of federal unsurptations: They assert the right of congress to impose duties upon importation, in other words, the right to lay a protective tariff ; they resolve that punishment is the rightful remedy against resistance to the laws of congress ; they solemnly resolve that in enforcing laws for imposing duties and all other acts of the congress of the United States, and in bringing to punishment all persons who may offer resistance, that the state of Pennsylvania will aid and assist the gov-

ernment by all the means in her power, and finally resolve to sustain the chief magistrate in carrying the foregoing resolutions and opinions into

effect. Such are the tenor of the resolutions sent from the state of Pennsylvania to the state of Alabama. Taking into consideration the present momentous crisis in out political affairs, your committee cannot but remark that there is something omnious in the doctrines now put forth by the state of Pennsylvania: doctrines if correct, which proves the sovereignty of the state; the history of the formation of the constitution of the United States; the solemn declarations and decisions of the several departments of the general government; all have been a solemn mockery and impudent falsehood. It is plain to you committee, that if the constitutional tariff acts and all other acts of the congress of the United States are tp be enforced, and all resistance to such acts are to be at the hazard of incurring military coercion of from the general government; and it is to be backed by the co operation of the interested and populous states of this confederacy; it follows that the states are mere districts (as the resolutions insinuate) of a consolidated government, that instead of a limited government, we live under an elective despotism; and that it is equally evident of there is no power to protect its citizens from any act of the congress reserved to the states, that the general government may place any act they think proper on the list of crimes, and punish themselves, whether enumerated or not enumerated by the constitution, as cognizable by them, that they may transfer its cognizance to the president or any other person who may himself be the accuser, counsel, judge and jury, whose suspicious may be evidence, his order the sentence, his office the executor, and his breast the sole record of the transaction. And your committee believes it requires but little foresight to foretell that the strong states may from interest combine together to crush the smaller one. Precedents will furnish authority, the safety of the Union the pretext, and ambition the instrument, to carry the sword to the vitals of the constitution, whilst its friends are sleeping in security, believing that the ment of our choice are virtuous, and that the constitution itself unaided by out vigilance, afforded safety against all encroachments forgetting that it has no strength but it its strict observances, no true sentinels, but those who are friends of the sovereignty of the states. If congress can pass an unconstitutional law for the protective tariff, it can also pass an unconstitutional law of manumission, and if it can in justice use military force against a sovereign state in the first case, it follows that it has a right in the latter case also.

The same committee reported joint resolutions, which was read the first time. Mr Ormond moved that the preamble and resolutions be indefinitely postponed, which was carried: yeas 37, nays 13.

The yeas and nays being demanded, those who voted in the affirmative, are messrs Breedin Brickell Camp Carmack Carithers Chamberlain Creagh Earle Fleming Flournoy Goodrich Graham Hall Hill Houston of L. Houston of M. Hudson of F. Hudson of J. Johnson King Lockhart Lusk Massey Moffett Morrisette Musgrove Nor- Ormond Rather Richardson Stewart Sumners Tarrant Thompson Weissinger Williams Witherspoon and Young.

Those who voted in the negative are messrs Speaker Brodnax Drish Herbert Hubbard Keener Lee Miree Oliver Ross Rugely Saunders Simmons Ware and Wilson.

Mr Hudson of F. offered the following resolution: Resolved, That the Senate be informed that the House of Representatives are through all business, and ready to adjourn sine die.

Ordered, that said resolution lie on the table.

And the House adjourned until three o'clock this evening.

Evening Session, three o'clock–Mr Oliver made the following report:

The committee on enrolled bills have examined and find correctly enrolled bills of the following titles, viz: An act for the relief of Memorable W. Creagh, Chester Root, William Taylor, John Coffee, William R. King and

John C. Percy; an act to provide for the transmission of certain acts therein named; an act to amend the charter of the State of Alabama; an act to organize the county of Sumpter; and an act to fix the salary of the president of the Bank of the state of Alabama, and for other purposes.

Mr Hubbard offered the following resolution: Resolved, That with the concurrence of the Senate the two Houses will now assemble to elect three commissioners for the purposes of examing the Bank of the State of Alabama, and its several branches, which was adopted. Yeas 21, nays 17.

The yeas and nays being demanded, those who voted in the affirmative are messrs Speaker Breedin Camp Carmack Creagh Drish Herbert Hollis Houston of M. Hubbard Hudson of F. Johnson Keener Miree Musgrove Oliver Rather Ross Saunders Stewart and Wilson.

Those who voted in the negative are messrs Beck Flournoy Hall Houston of L. Hudson of J. Lockhart McRea Massey Moffett Norwood Ormond Richardson Sumners Weissinger Williams and Young.

Mr Hudson of F. who voted in the majority on the adoption of mr Hubbard's resolution, moved to re-consider the vote, which was carried:

Mr Hudson of F. then moved that the resolution lie on the table, which was carried.

Mr Hubbard offered the following resolution: Resolved, That his Excellecny the Governor, be requested not to appoint commissioners to examing the Bank of the State of Alabama, and several branches thereof, this House having refused to invest the power in him for that purpose: the provision contained in the bill authorising the executive to make the appointment having been incorporated in the enrolled bill through mistake. Mr Weissinger moved that the resolution be indefinitely postponed, which was lost. Yeas 17; nays 17.

The yeas and nays being demanded, those who voted in the affirmative are messrs Beck Camp Carmack Creagh Fleming Flournoy Houston of L. Houston of M. Hudson of J. King Lockhart Massey Moffett Norwood Weissinger Williams and Young.

Those who voted in the negative are messrs Speaker Brickell Drish Herbert Hollis Hubbard Hudson of F. Keener Miree Musgrove Oliver Rather Richardson Ross Saunders Thompson and Wilson.

A message was received from the Governor by James I. Thornton, secreatary of state, which is as follows:

EXECUTIVE DEPARTMENT, Tuscaloosa, January 12, 1833

To the Senate and House of Representatives of the State of Alabama:

In answer to a communication made by a joint committee of the two Houses, I have to state that I have signed all the acts which have been passed at the present session, and that I have no further communication to make to either branch of the General Assembly. I beg to leave to tender my respects to the members individually, and my best wishes for their speedy and happy return to the bosom of their families.

Signed JOHN GAYLE

Ordered, that said message lie on the table.

And a message was also received from the Governor by James I. Thornton, which is as follows: mr Speaker: I am requested by the Governor to inform your honorable body, that he did on this day approve and sign the following bills, viz: An act to provide for the appropriation pf the nett proceeds for the funds arising from the sale of the sixteenth sections; an act to provide for the settlement of the estates of deceased persons in certain cases therein named, an act explanatory of the liability of persons to work on roads; an act in relation to the reporter of the decisions of the supreme court; an act to repeal an act amendatory to the several acts concerning witnesses, approved January 3, 1832; so far as respects the county of Mad-

ison; an act to appoint the time of holding the county courts in the county of Barbour' an act to incorporate the Maplesville light horse company; and act for the organization of certain counties therein named; an act to discontinue and establish certain election precincts therein named; an act to-

exempt certain property from execution, joint resolution compensating the state treasurer for receiving and disbursing the University funds for the years 1831 and 1832; an act for the relief of the sheriff of St. Clair county; an act to divide the first regiment of the Alabama militia; joint memorial to the congress of the United States; an act to authorise the judges of the supreme courts to hold adjourned terms; an act organizing the fourteenth regiment of Alabama militia in the county of Blount: joint resolutions on the protective system of the United States, the tariff, and nullification; an act to provide for the examination of the bank of the State of Alabama; an its several branches; an act prescribing the duties of coroners; an act establishing the time of holding the courts therein named, in the counties therein named; an act to authorise the commissioners of the sixteenth section, fourth township, tenth range west, to sell any part of said section; an act to regulate the weighing of cotton in the city of Mobile, and for other purposes, an act to divorce certain persons therein named; joint resolutions to keep and preserve the furniture of both houses of the General Assembly; an act for the relief of purchasers of sixteenth sections; an act to authorise Matthias Richardson to relinquish lot No. 11 to the commissioners of the sixteenth section in township one, range number eight west; an act for the relief of O.J. Williams, an act to distribute the funds arising from the sale of sixteenth sections: an act to divorce certain persons therein named; an act making appropriations for the payment of certain claims against the state; an act making appropriations for the year 1839; an act to provide for taking the depositions of judges of the circuit and supreme courts of the State of Alabama, an other persons therein named; an act to repeal an act allowing two constables in beat No. 6 and in the 17th regiment of Alabama militia; recommendations of the General Assembly of the State of Alabama to president and congress of the United States, to the state of South Carolina, and to the different states; an act for the relief of Memorable W. Creagh, Chester Root, William Taylor, John Coffee, William R. King, and John C. Perry, and an act requiring the governor to reside at the seat of government; all of which originated in the house of Representatives.

Mr Hudson of F. called up the resolution which was laid on the table to-day proposing to adjourn; which was adopted.

Mr Hudson of F. their moved that the House adjourn sine die.

And then the House adjourned.

Attest:

SAMUEL W. OLIVER.
Speaker of the House of Representatives.

T.B. Tunstall, Clerk of the House of Representatives